



Erskine College
and
Erskine Theological Seminary
Employee Resource Handbook

Replaces Prior Versions of Employee Resource Handbooks

ALL EMPLOYEES OF ERSKINE ARE EMPLOYED AT WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY REASON. NOTHING IN ANY OF ERSKINE'S RULES, POLICIES, HANDBOOKS, PROCEDURES, OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. NO PAST PRACTICES OR PROCEDURES, WHETHER ORAL OR WRITTEN, FORM ANY EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES IN THE FUTURE. NO PROMISES OR ASSURANCES, WHETHER ORAL OR WRITTEN, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE PUT IN WRITING; 2) THE DOCUMENT IS LABELED "CONTRACT;" 3) THE DOCUMENT STATES THE DURATION OF EMPLOYMENT; AND 4)THE DOCUMENT IS SIGNED BY THE PRESIDENT OF ERSKINE OR THE CHAIR OF THE BOARD OF TRUSTEES.

Revised September 2017



Employee Acknowledgement Form

I have received this *Employee Resource Handbook* and understand that Erskine is revoking all prior versions or editions, effective immediately. The first page of this handbook contains the following notice.

ALL EMPLOYEES OF ERSKINE ARE EMPLOYED AT WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY REASON. NOTHING IN ANY OF ERSKINE'S RULES, POLICIES, HANDBOOKS, PROCEDURES, OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. NO PAST PRACTICES OR PROCEDURES, WHETHER ORAL OR WRITTEN, FORM ANY EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES IN THE FUTURE. NO PROMISES OR ASSURANCES, WHETHER ORAL OR WRITTEN, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE PUT IN WRITING; 2) THE DOCUMENT IS LABELED "CONTRACT;" 3) THE DOCUMENT STATES THE DURATION OF EMPLOYMENT; AND 4) THE DOCUMENT IS SIGNED BY THE PRESIDENT OF ERSKINE OR THE CHAIR OF THE BOARD OF TRUSTEES.

By my signature, below, I understand and agree that:

- I acknowledge receipt of *Erskine Employee Handbook*, dated **September 2017**;
- I have read and understood the disclaimer set forth above, which also appears on the first page of my copy of the handbook;
- I further understand that for all employees, employment is "at-will" which means that I can leave Erskine at any time with or without notice and with or without cause, and Erskine has the same right to end my employment at any time, with or without notice, with or without cause as long as it acts lawfully.

I UNDERSTAND THAT THIS HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT and that the language and policies contained in it do not create contractual obligations and that no circumstances arising out of my employment can alter my "at-will" employment relationship unless an agreement expressly altering the "at-will" nature of my employment is set forth in writing, labeled "Contract", and personally signed by the President or the Chair of the Board of Trustees of Erskine.

I understand that this *Employee Resource Handbook* replaces all prior versions and that Erskine at its sole discretion may amend, add to, or delete from this handbook at any time without giving me prior notice or obtaining my consent. I understand that if I have questions about this handbook, now or in the future, I may discuss them with the Director of Human Resources or my supervisor. I further understand that I may access the current version of the *Employee Resource Handbook* on the Erskine website www.erskine.edu under the Human Resources Section.

Employee Signature

Printed name

Date

by _____

Date _____



**Erskine College and Erskine Theological Seminary
Human Resources Department
Post Office Box 338
Two Washington Street
Due West, SC 29639**

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Forms/documents referenced herein may be found on the Human Resources Section of the Erskine website and/or by contacting the Human Resources Office in Belk Hall.

Introduction

Erskine College and Erskine Theological Seminary Employee Resource Handbook. This handbook is not a contract (Refer to the disclaimer on the cover page and on the Employee Acknowledgement Form); it replaces any and all prior versions and may be amended. Revised September 2017.

Handbook Statement

This handbook describes some of the normal employee policies and practices of Erskine which are presented as employee guidelines. This handbook replaces any and all prior versions of handbooks distributed to employees in their entirety. This handbook is applicable to all college and seminary employees, and all references herein to “Erskine,” the “College,” and/or the “institution” include both Erskine College and Erskine Theological Seminary. To ensure one has the most recent version of the handbook, he or she should always consult the copy available on the Erskine website at www.erskine.edu.

Not a Contract of Employment

Neither the issuance of this handbook nor any of the policies or language contained in it creates a contract of employment, expressed or implied, between Erskine and any employee. No promise of continued employment is made or implied by this handbook. In the event that any mandatory language appears in this handbook, the terms of the disclaimers on the cover page and first page (“Employee Acknowledgement Form”) of this handbook shall take precedence over any such apparently mandatory language, so that no contract is created.

This handbook does not impose any contractual rights or obligations. It is merely a guide to some of Erskine’s current policies and procedures affecting employees as of the date of its issuance and subsequent revision. While every effort will be made to communicate these changes in advance as reasonably possible, the handbook is not all inclusive. Erskine may interpret, update, amend, or rescind all or part of this handbook at any time, at its sole discretion, without prior notice and without obtaining any employee consent or agreement.

Meaning of “At-Will” Employment

All employees of Erskine are “at-will” employees, meaning that either Erskine or the employee may terminate the employment relationship at any time and for any reason or for no reason. An employee’s status as an “at-will” employee may be changed only by a written agreement (labeled as a “contract”) which expressly alters the “at-will” nature of one’s employment and which is signed by the employee and either the President or the Chair of the Board of Trustees of Erskine.

Union Free Statement

It is the policy of Erskine to provide and maintain an environment so neither an employee’s decision to work here nor opportunities for advancement would ever require one to join a labor union. We firmly believe it is preferable for Erskine and its employees to deal with each other directly rather than through an outside third party. Erskine accepts its responsibility to provide reasonable and competitive pay, benefits, and working conditions. It is not and will not ever be necessary to pay a labor union in order to receive fair treatment. Erskine believes employees have the right and ability to think, speak, and act for themselves, and Erskine encourages each employee to do so and to utilize the open door policy at all times.

Erskine College and Erskine Theological Seminary Employee Resource Handbook. This handbook is not a contract (Refer to the disclaimer on the cover page and on the Employee Acknowledgement Form); it replaces any and all prior versions and may be amended. Revised September 2017.

History of Erskine

Erskine College (undergraduate program)

Erskine College was founded by the Associate Reformed Presbyterian Church in 1839. Prior to this time, the church had established in Due West, South Carolina, an academy for men in 1835. This academy became Erskine, the first four-year Church-related college in South Carolina.

By the time of the War Between the States, Erskine had become one of the thriving colleges of the region with over 100 students enrolled. Following the war, loyal supporters rebuilt the endowment wiped out by the conflict. They also financed construction of the Erskine Building and established Chairs in Chemistry and English Literature under widely respected professors.

These professors helped Erskine establish a reputation for academic excellence as Erskine moved from a classical to liberal arts curriculum. Also enhancing this reputation were Erskine's literary societies, as old as Erskine, which trained championship debaters and supplemented speech and literary training. The large auditorium constructed in 1892 brought renowned speakers to Erskine and continued Erskine's role as a cultural and educational center of the South Carolina Piedmont. Erskine also played a greater role in the education of women, admitting women first in 1894 and officially becoming co-educational in 1899. The Due West Female College, founded in 1859 by Associate Reformed Presbyterian ministers and laymen, came under the control of the ARP Church in 1904 and merged with Erskine in 1927.

The planned merger paved the way for accreditation from the Southern Association of Colleges in 1925, and the combined institution continued to provide a quality education, producing distinguished graduates over the next three decades, despite the setbacks of the Great Depression, World War II, and the dearth of students entering higher education in the early 1950s. Successful capital gifts campaigns beginning in 1954, 1963, 1974 and 1992 have increased Erskine's endowment to more than \$40 million and provided more than \$15 million in physical plant improvements over the past four decades. The completed Campaign for Erskine, which opened in 1992, raised more than its \$33 million goal, providing further funding for the implementation of Erskine's long-range plans, including a \$7.4 million science hall and a \$2 million arts center.

Erskine's most recent capital campaign, the Gold Campaign, was launched in 2001 to raise \$36.8 million. Among a number of emphases in the Gold Campaign were the funding of endowed scholarships and professorships and the renovation and expansion of Memorial Hall, including the addition of a mathematics facility. The Gold Campaign concluded in December 2006, with slightly over \$40 million raised.

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Erskine Theological Seminary

Erskine Theological Seminary was founded in 1837. The Theological Seminary became the School of Theology of Erskine in 1925. A member of the Atlanta Theological Association, it offers a three-year postgraduate curriculum leading to the Master of Divinity degree; a two-year postgraduate program leading to the Master of Arts in Christian education; and a program requiring at least two years, whereby experienced ministers holding the Master of Divinity or its equivalent may earn the Doctor of Ministry degree.

Erskine Seminary also offers master's degree programs in practical ministry, theological studies, and theology. Erskine Seminary is accredited by The Association of Theological Schools in the United States and Canada. The seminary moved into its current location, Bowie Divinity Hall, in 1985. The seminary celebrated its Sesquicentennial with a number of special activities in 1987.

The purpose of Erskine Theological Seminary is to serve the Church and its mission by providing those called to be ordained servants of God with guided experience in being witnesses of the Word to the Church and, through the Church, to the world.

While the seminary is conducted under the auspices of the Associate Reformed Presbyterian Church and has a special obligation to equip men for the ministry in that church, it admits persons of Christian character and of approved educational attainment from other Christian denominations and offers them all possible encouragement in preparing them for the work of the ministry in the churches of their choice.

Erskine Theological Seminary sponsors an extensive program of continuing education.

Institutional Mission Statement

Erskine exists to glorify God as a Christian academic community where students are equipped to flourish as whole persons for lives of service through the pursuit of undergraduate liberal arts and graduate theological education.

The Mission of Erskine College (undergraduate program)

The mission of Erskine College is to equip students to flourish by providing an excellent liberal arts education in a Christ-centered environment where learning and biblical truth are integrated to develop the whole person.

The Mission of Erskine Theological Seminary

The mission of Erskine Theological Seminary is to educate persons for service in the Christian Church.

Accreditation

Erskine is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award baccalaureate, master's, and doctorate degrees. Contact the **Commission on Colleges** at 1866 Southern Lane Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Erskine.

The three-fold purpose for publishing the address and contact numbers of the SACS Commission on Colleges is to enable interested constituents:

1. to learn about the accreditation status of the institution;
2. to file a third-party comment at the time of the institution's decennial review; or
3. to file a complaint against the institution for alleged non-compliance with a standard or requirement.

Other inquiries about Erskine, such as admission requirements, financial aid, educational programs, etc., should be addressed directly to the college or seminary and not to the Commission's office.

Erskine Theological Seminary is accredited by the **Commission on Accrediting of the Association of Theological Schools in the United States and Canada**, and the following degree programs are approved:

MDiv, MA in Educational Ministries, MA (Theological Studies), MA in Practical Ministry, ThM, DMin.

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The following extension sites are approved as specified:

- Approved for granting degrees: Columbia, SC
- Approved for more than 50 percent of a degree program but not complete degrees: Augusta, GA; Florence, SC; Greenville, SC; Summerville, SC.
- Approved for a Comprehensive Distance Education Program.

To contact ATS: Commission on Accrediting, Association of Theological Schools, 10 Summit Park Drive, Pittsburgh, PA 15275; Phone: 412-788-6505; Website: www.ats.edu.

Our Status in Other States

The Georgia Nonpublic Postsecondary Education Commission has authorized Erskine Theological Seminary to offer instruction in Christian Education, Church Music, Counseling Ministry, Divinity, Ministry, Practical Ministry, Theological Studies, and Theology.

About The Erskine Campus

Erskine is located in Due West, South Carolina, a town of 1,200 residents located in historic Abbeville County, an area rich in colonial, Revolutionary War, and Civil War history. The town and the campus, with a number of antebellum buildings, are listed on the *National Register of Historic Places*. Along with the successful use of technology, personal interaction which leads to lasting friendships and discovery within a community of learners continues as a primary focus on the Erskine campus.

Erskine is located near a number of lakes and recreational areas and is within easy access to Interstate Routes 26 and 85 and the cities of Atlanta, Charlotte, Columbia, and Greenville. Greenwood and Anderson are each about 20 miles away. The Town of Due West provides a restful and quiet atmosphere for study and academic exploration.

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Communications and Open Door

Erskine College and Erskine Theological Seminary Employee Resource Handbook. This handbook is not a contract (Refer to the disclaimer on the cover page and on the Employee Acknowledgement Form); it replaces any and all prior versions and may be amended. Revised September 2017.

Open Door Policy

It is the intention of Erskine to maintain open communications with all employees. If an employee has questions or concerns regarding his/her employment, the employee should discuss the matter with his/her immediate supervisor. If this does not resolve the issue (or if the issue involves the employee's supervisor), the employee may raise the problem with the Director or Vice President to whom the supervisor reports. In the event no satisfactory solution is reached, the problem may be discussed with the Director of Human Resources or with the Senior Vice President for Finance and Operations.

Campus Calendar

Erskine's campus calendar is an electronic calendar accessible on Erskine's home page at www.erskine.edu/calendar (or from the "Events" link on the home page). The calendar reflects on-going events at Erskine. This site is for information purposes only. Any facilities and room reservations must be made through the Erskine Events Management System.

Facilities Requests and Room Reservations

All room and event reservations should be made through the Erskine Events Management System located under the Facilities Section on the Erskine website. Confirmation will be sent once the room or facility is reserved. It is the responsibility of the person(s) requesting the facility/room to coordinate any technology needs with the IT Department and all dining needs with Aramark Dining Services.

Electronic Mail

Frequently, as matters of importance arise, information is sent out electronically via e-mail. When an employee is away from work on business and would like to access e-mail, he or she may do so by utilizing Erskine's Internet Mail called SquirrelMail.

Procedures for SquirrelMail:

1. Enter the following web address: email.erskine.edu
2. The employee should enter his/her regular name and password at the prompts.

Bulletin Boards

There are two designated employee bulletin boards where legally required employee information and postings are distributed. These boards are located in the Mail Room in Belk Hall and outside the Human Resources Office.

Departmental bulletin boards are not to be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations. Nothing in this policy is intended to prevent communications concerning wages, hours, and working conditions, and it is not intended to prohibit any communication allowed by law.

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Communications Office

The Communications Office is responsible for producing brochures, flyers, magazines, catalogs, and other materials publicizing the institution and its programs. Individuals desiring to have such materials produced are expected to work with the staff in the Communications Office so that accurate and high quality materials will be produced and so that the image of the institution can be maintained with consistency and proper decorum.

The Brand Identity Program encompasses both the c seminary emblems, names and logos including:

- College and seminary Administrative and Academic Logos
- College and seminary Seal
- College and seminary Crest
- College Athletic Logo and Identity Elements

These items are the only approved representations of the college and seminary. They cannot be altered or changed in any way. They are trademarked to ensure they are protected from outside interests. Internally, they can only be protected by vigilant observance by the campus community. Employees who need to use the logo may copy it from the “Employee Resources” section of the website.

Erskine Websites

Both the college and seminary web sites are maintained by the Communications Office. All questions regarding the website and its content should be directed to communications@erskine.edu or by accessing the *Contact Website Managers* Section of the website.

Erskine News

The Communications Office is also responsible for publishing news online and in print through various media that provides news and information of interest about and for the Erskine community. Stories about or written by Erskine students, faculty/staff and alumni that highlight Erskine’s contributions in the world are always welcome. To submit a story idea or article contact news@erskine.edu.

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General Policies, Practices, and Guidelines

Erskine College and Erskine Theological Seminary Employee Resource Handbook. This handbook is not a contract (Refer to the disclaimer on the cover page and on the Employee Acknowledgement Form); it replaces any and all prior versions and may be amended. Revised September 2017.

Responsibility for Administration of Policies, Practices, and Guidelines

The President will be responsible for administering policy in cooperation with the appropriate Vice Presidents and their respective supervisors. The Vice Presidents of Erskine will supervise and coordinate the programs and procedures in their respective departments, employing staff, administration, and faculty members accordingly. Each Vice President will maintain a list of authorized positions according to the provisions of the approved annual operating budget.

Equal Employment Opportunity Policy

It is the policy of Erskine to fully comply with all applicable laws that prohibit discrimination on the basis of race, color, national origin, gender, age, pregnancy or childbirth, disability, genetic information, military service, application for military service, veteran status, or any other characteristic protected by applicable law. The institution will utilize strategies designed to assure that qualified persons with disabilities, women, and legally protected minorities are well represented in applicant pools from which employees are selected.

As a religious educational institution, Erskine strives to achieve and maintain a Christ-centered environment. Consistent with that goal, Erskine shall exercise its theological, constitutional, and statutory right to take religion into account in all employment decisions.

If an employee believes he or she has been discriminated against in any aspect of employment with Erskine, please he or she should follow the complaint procedures set forth in the Non-Discrimination and Non-Harassment policy in this handbook.

Americans with Disabilities Act Policy

Erskine will comply with provisions of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the ADA Amendments Act of 2008 (ADAA) and any other relevant local, state, or federal law protecting the rights of persons with disabilities. Erskine's policy prohibits any unlawful actions or decisions that adversely impact or deny rights or privileges to otherwise qualified individuals solely on the basis of a disability or because an otherwise qualified individual is related to or associated with a person with a disability. Additional information regarding the ADA may be obtained by contacting the Human Resources Director.

Statement on Human Sexuality

Erskine holds the Bible teaches that monogamous marriage between a man and a woman is God's intended design for humanity and that sexual intimacy has its proper place only within the context of marriage.

Perspective and Context

As a Christian academic community, Erskine seeks to treat all persons justly with grace, dignity, and compassion in the Spirit of Christ. Rooted in the historic Evangelical and Reformed Christian tradition, Erskine has always sought to show hospitality and respect to all members of its community, regardless of their religious or philosophical commitments.

The scriptural view of human sexuality is that God formed man and woman in His image (Gen. 1:27-28), and these two were to become one flesh (Gen. 2:23-24). Christ affirms that marital union is to be between a man and woman (Matt 19:4-6). The Bible teaches that monogamous marriage

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between a man and a woman is God's intended design for humanity and that sexual intimacy has its proper place only within the context of marriage (1 Thes. 4:3-5, Col. 3:5-7). Sexual relations outside of marriage or between persons of the same sex are spoken of in scripture as sin and contrary to the will of the Creator (Rom. 1:26-27; 1 Cor. 6:9-10; 1 Tim. 1:9-11).

Erskine recognizes the complexity of current issues regarding sexual morality, marriage, and other expressions of human sexuality such as same-sex attraction, gender identity, and sex outside the covenant of marriage. Therefore, the Erskine community is advised to practice humility and prayerfulness when engaging in any conversations or other actions related to these topics. Erskine's conduct policies and procedures seek to uphold biblical standards, promote repentance and grace, and point people to Jesus Christ.

In Action

We believe the Bible teaches that all sexual activity outside the covenant of marriage is sinful and therefore ultimately destructive to the parties involved. As a Christian academic community, and in light of our institutional mission, members of the Erskine community are expected to follow the teachings of scripture concerning matters of human sexuality and institutional decisions will be made in light of this position.

SEXUAL MISCONDUCT POLICY

IMPORTANT INFORMATION FOR VICTIMS OF SEXUAL MISCONDUCT

*If you or someone you know may have been a victim of Sexual Misconduct,
you are strongly encouraged to seek assistance.*

ASSISTANCE CAN BE OBTAINED 24/7 BY DIALING 911.

The following are **College resources** available to victims of Sexual Misconduct:

Erskine College Police Department

Erskine College Police Department Building
(864) 379-8869
available from 9:00 p.m. to 5:00 a.m.,
7 days per week

During business hours (8:00 a.m. to 4:30 p.m., Monday through Friday), you are strongly encouraged to contact the College's Title IX Coordinator:

Buck Brown, Interim Title IX Coordinator

Director of Institutional Research
Belk 238
(864) 379-8805
brown@erskine.edu

[Information continues on the following page.]

The following are **community resources** available to victims of Sexual Misconduct:

Sexual Violence and Abuse Agencies:

Beyond Abuse

<http://beyondabuse.info/>
116 East Alexander Avenue
Greenwood, SC 29646
(864) 227-1623

Foothills Alliance

<http://www.foothillsalliance.org/>
(864) 231-7273
216 E. Calhoun Street
Anderson, SC 29621

Medical Providers:

Abbeville Area Medical Center

<http://www.abbevilleareamc.com/>
420 Thomson Circle
Abbeville, SC 29620
(864) 366-5011

Self Regional Healthcare

<http://www.selfregional.org/>
1325 Spring Street
Greenwood, SC 29646
(864) 725-4111

The following are **federal resources** available to victims of Sexual Misconduct:

Office for Civil Rights (“OCR”)

Washington DC (Metro)
Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1475
(202) 453-6020
(202) 453-6021 (fax)
(800) 877-8339 (TDD)
OCR.DC@ed.gov

Not Alone

(an official website of the United States Government)
Information for students, schools, and anyone interested in finding resources on how to respond to and prevent sexual assault on college and university campuses and in our schools.
<https://www.notalone.gov>

[Policy continues on the following page.]

SEXUAL MISCONDUCT POLICY

ARTICLE I. INTRODUCTION

Section 1.01 Background

Erskine College (the “College”) is committed to maintaining and strengthening an environment founded on civility and respect. Sexual Misconduct, as defined by this Sexual Misconduct Policy (this “Policy”), is antithetical to the values and standards of the College community, is incompatible with the safe, healthy environment that the College community expects and deserves, and will not be tolerated.

The College is committed to providing programs, activities, and an educational and work environment free from sex discrimination and to fostering a community that promotes prompt reporting of all types of Sexual misconduct and timely and fair resolution of Sexual Misconduct Complaints. This Policy sets forth available resources, describes prohibited conduct, and establishes procedures for responding to Complaints of Sexual Misconduct.

The College will make this Policy and information about recognizing and preventing Sexual Misconduct readily available to all members of the College community.

The College is committed to eliminating Sexual Misconduct, preventing its recurrence, and addressing its effects.

Section 1.02 Prohibition on Sexual Misconduct

This Policy is designed to protect the rights and needs of alleged victims and Respondents. Creating a safe environment is the responsibility of all members of the College community.

The College strongly encourages prompt reporting of all types of Sexual Misconduct and is committed to fostering a community that promotes timely and fair resolution of Sexual Misconduct cases. To that end, the College has defined Sexual Misconduct broadly to include any unwelcome conduct of a sexual nature, and the College will properly investigate all allegations of Sexual Misconduct.

Section 1.03 Applicability of this Policy

This Policy applies to any allegation of Sexual Misconduct made by or against a student or an employee of the College or a third party, regardless of the sex, sexual orientation, sexual identity, gender, gender expression, or gender identity of any party and wherever the alleged Sexual Misconduct occurred, if the conduct giving rise to the Complaint is related to the College’s academic, educational, athletic, or extracurricular programs or activities. There is no geographical limitation to invoking this Policy.

IN THE CASE OF ALLEGATIONS OF SEXUAL MISCONDUCT, UNLESS OTHERWISE STATED, THIS POLICY SUPERSEDES AND APPLIES IN LIEU OF ALL OTHER PROCEDURES AND POLICIES REGARDING, AND REFERENCES TO, SEXUAL MISCONDUCT SET FORTH IN ANY OTHER DOCUMENT CONTAINING COLLEGE POLICIES AND/OR PROCEDURES.

Section 1.04 Period of Limitations

A Complaint of Sexual Misconduct may be filed at any time, regardless of the length of time between the alleged Sexual Misconduct and the decision to file the Complaint. However, the College strongly encourages individuals to file Complaints promptly in order to preserve evidence for a potential legal or disciplinary proceeding. A delay in filing a Complaint may compromise the subsequent investigation, particularly if neither the Complainant nor the Respondent is employed by the College or enrolled as a student at the time.

Section 1.05 Related Misconduct

The Hearing Board may hear allegations of and impose sanctions for alleged misconduct that is related to the Sexual Misconduct at issue, even if such related misconduct is not, when standing alone, governed by this Policy.

Section 1.06 Definitions

Capitalized terms used in this Policy have the following meanings:

- (a) **Clery Act.** The “Clery Act” is defined in Section 3.02(a)(ii).
- (b) **Complainant.** A “Complainant” is an alleged victim of Sexual Misconduct who files a Complaint, or on whose behalf a Complaint is filed or initiated.
- (c) **Complaint.** A “Complaint” is an allegation of Sexual Misconduct asserted against another party and initiated pursuant to Section 5.01.
- (d) **Consent.** “Consent” is informed, freely and actively given, and mutually understandable words or actions that indicate a willingness to participate in mutually agreed-upon activity. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a clear and unambiguous agreement between them to engage in certain conduct with each other. Consent cannot be gained by ignoring or acting in spite of the objections of another. Consent cannot be inferred from:
 - (i) Silence, passivity, or lack of resistance alone;
 - (ii) A current or previous dating or sexual relationship;
 - (iii) Attire;
 - (iv) The spending of money on a date;
 - (v) Consent previously given.

Consent is not effective if it is obtained through the use of physical force, violence, duress, deception, intimidation, coercion, or the threat, expressed or implied, of bodily injury. Whether a party used intimidation or coercion to obtain Consent will

be determined by reference to the perception of a reasonable person found in the same or similar circumstances.

Consent may never be given by:

- 1) Minors, even if the other participant did not know the minor's age.
- 2) Mentally disabled persons, if their disability was reasonably knowable to a sexual partner who is not mentally disabled.
- 3) Persons who are Incapacitated.

The use of alcohol or drugs does not diminish one's responsibility to obtain Consent and does not excuse conduct that constitutes Sexual Misconduct under this Policy.

- (e) **Dating Violence.** "Dating Violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.
- (f) **Domestic Violence.** "Domestic Violence" includes felony or misdemeanor crimes of violence committed by:
- (i) a current or former spouse of the victim,
 - (ii) a person with whom the victim shares a child in common,
 - (iii) a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner,
 - (iv) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of South Carolina, or
 - (v) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of South Carolina.
- (g) **Education Record.** "Education Record" has the meaning assigned to it under FERPA.
- (h) **FERPA.** The Family Educational Rights and Privacy Act ("FERPA") is a federal statute codified at 20 U.S.C. § 1232g, with implementing regulations at 34 C.F.R. 99. FERPA protects the privacy of student education records. FERPA grants to parents or eligible students the right to access, inspect, and review education records, the right to challenge the content of education records, and the right to consent to the disclosure of education records.

- (i) **Final Outcome Letter.** “Final Outcome Letter” is defined in Section 6.02(c)(iii).
- (j) **Hearing Board.** “Hearing Board” is defined in Section 6.02(a)(i).
- (k) **Incapacitated.** “Incapacitated” means lacking the physical and/or mental ability to make informed, rational judgments. A person may be Incapacitated for a variety of reasons, including but not limited to being asleep or unconscious, having consumed alcohol or taken drugs, or experiencing blackouts or flashbacks.
- (l) **Investigative Report.** “Investigative Report” is defined in Section 5.04(d).
- (m) **Investigator.** The “Investigator” is a person designated by the Title IX Coordinator to investigate a Complaint pursuant to Section 5.04(b).
- (n) **Personally Identifiable Information.** “Personally Identifiable Information” (as that term is defined by FERPA) includes, but is not limited to
 - (i) a Student's name;
 - (ii) the name of a Student's parent(s) or other family members;
 - (iii) the address of a Student or a Student's family;
 - (iv) a personal identifier, such as a Student's social security number, Student number, or biometric record;
 - (v) other indirect identifiers, such as a Student's date of birth, place of birth, or mother's maiden name;
 - (vi) other information that, alone or in combination, is linked or linkable to a specific Student and that would allow a reasonable person in the College community, who does not have personal knowledge of the relevant circumstances, to identify the Student with reasonable certainty; or
 - (vii) Information requested by a person whom the College reasonably believes knows the identity of the Student to whom the Education Record relates.
- (o) **Rape.** “Rape” is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the victim.
- (p) **Respondent.** A “Respondent” is an individual who has been accused in a Complaint of committing Sexual Misconduct.
- (q) **Responsible Employee.** A “Responsible Employee” is an employee of the College who has the obligation to report to the Title IX Coordinator any Complaints or allegations of Sexual Misconduct of which he or she becomes aware. Strictly Confidential Resources are not Responsible Employees. The following individuals are the College’s Responsible Employees:

- (i) All Vice Presidents, Deans, Associate Deans, Department Chairs, Directors, and Coaches;
 - (ii) All Human Resources Staff;
 - (iii) All Student Development Staff (including Resident Directors and Student Life Assistants);
 - (iv) All employees and independent contractors serving in a supervisory or management role (including advisors of recognized student organizations and work-study supervisors);
 - (v) All members of the faculty; and
 - (vi) All Erskine College Police Officers.
- (r) **Retaliation.** “Retaliation” means any adverse action threatened or taken against a person because he or she has filed, supported, or provided information in connection with an allegation of Sexual Misconduct, including but not limited to intimidation, threats, and harassment.
- (s) **Sexual Assault.** “Sexual Assault” means any actual, attempted, or threatened sexual act with another person without that person’s Consent. By way of example and not limitation, Sexual Assault includes:
- (i) Fondling (the touching of the private body parts of another person for the purpose of sexual gratification, without the Consent of the victim, including instances in which the victim is incapable of giving Consent because of his or her age or because he or she is temporarily or permanently Incapacitated),
 - (ii) Incest (sexual intercourse with an individual under the statutory age of consent, as defined by South Carolina law),
 - (iii) Rape, and
 - (iv) Statutory rape (sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by South Carolina law).
- (t) **Sexual Exploitation.** “Sexual Exploitation” means any act of taking non-Consensual, unjust or abusive sexual advantage of another person for one’s own advantage or benefit or to benefit or advantage anyone other than the person being exploited. Sexual Exploitation includes, but is not limited to:
- (i) Causing or attempting to cause another person to be Incapacitated in order to gain a sexual advantage over such person;
 - (ii) Non-Consensual videotaping, photographing, or audio-taping of sexual activity and/or distribution of these materials via media;

- (iii) Allowing another person to observe Consensual sex without the knowledge or Consent from all participants;
 - (iv) Voyeurism; and
 - (v) Knowingly or recklessly transmitting a sexually transmitted disease to another individual.
- (u) **Sexual Harassment.** “Sexual Harassment” is any unwelcome verbal, nonverbal, written, electronic, or physical conduct of a sexual nature. Examples of this Sexual Harassment include instances in which:
- (i) Submission or consent to the behavior is reasonably believed to carry consequences for the individual’s education, employment, on-campus living environment, or participation in a College activity. Examples of this type of sexual harassment include: (A) pressuring an individual to engage in sexual behavior for some educational or employment benefit, or (B) making a real or perceived threat that rejecting sexual behavior will carry a negative educational or employment consequence for the individual
 - (ii) The behavior is so severe or pervasive that it has the effect of substantially interfering with the individual’s work or educational performance by creating an intimidating, hostile, or demeaning environment for employment, education, on-campus living, or participation in a College activity. Examples of this type of sexual harassment include: (A) persistent unwelcome efforts to develop a romantic or sexual relationship; (B) unwelcome sexual advances or requests for sexual favors; (C) unwelcome commentary about an individual's body or sexual activities; (D) repeated and unwelcome sexually-oriented teasing, joking, or flirting; (E) verbal abuse of a sexual nature; and (F) one or more instances of Sexual Assault.

Sexual Harassment also includes acts of intimidation, bullying, aggression or hostility based on gender or gender-stereotyping, even if the acts do not involve conduct of a sexual nature.

- (v) **Sexual Intimidation.** “Sexual Intimidation” includes but is not limited to:
 - (i) Threatening, expressly or impliedly, to commit a sexual act upon another person without his or her Consent;
 - (ii) Stalking or cyber-stalking; and
 - (iii) Engaging in indecent exposure with the intention of alarming, distressing, and/or offending others.
- (w) **Sexual Misconduct.** “Sexual Misconduct” means any unwelcome conduct of a sexual nature, including any conduct or act of a sexual nature perpetrated against an individual without Consent. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur

between people of the same or different sex. The College encourages reporting of all Sexual Misconduct. Sexual Misconduct includes but is not limited to:

- (i) Dating Violence;
 - (ii) Domestic Violence;
 - (iii) Sexual Assault;
 - (iv) Sexual Exploitation;
 - (v) Sexual Harassment;
 - (vi) Sexual Intimidation; and
 - (vii) Stalking.
- (x) **Stalking.** “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.
- For purposes of this definition, “course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property; “reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim; and “substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- (y) **Strictly Confidential Resource.** “Strictly Confidential Resource” is defined in Section 3.01(a).
- (z) **Third-party Reporter.** A “Third-party Reporter” is an individual who reports information or files a Complaint alleging that another individual is a victim of Sexual Misconduct.
- (aa) **Title IX Coordinator.** The College’s “Title IX Coordinator” is Mr. Buck Brown. Mr. Brown’s office is located in Belk 238. He may be contacted by phone at (864) 379-8805 or by email at brown@erskine.edu. He is available from 8:00 a.m. to 4:00 p.m. Monday through Friday.

• SEXUAL MISCONDUCT EDUCATION •
at
Erskine College

| OUTREACH & PREVENTION |

Erskine College is committed to the prevention of Sexual Misconduct and routinely conducts outreach and educational programming designed to increase awareness of the prevalence of Sexual Misconduct involving college-age students and other College constituents, inform the Erskine community about issues related to Sexual Misconduct such as substance abuse and the role of the bystander, and promote knowledge of the school's Sexual Misconduct Policy.

| TRAINING |

The College regularly conducts Sexual Misconduct training for its constituents, including the following groups:

- Title IX Coordinator
- Investigators
- Members of the Hearing Board & Presidential Appeals Committee
- Employees
- Students
- College Police Officers

These groups are trained, as appropriate and applicable, on such subjects as:

- This Sexual Misconduct Policy.
- Title IX and related regulatory guidance.
- The College's responsibility to address allegations of Sexual Misconduct.
- Recognizing and responding to reports of Sexual Misconduct.
- Understanding common and counterintuitive victim responses (during and after an incident) and the effect of Sexual Misconduct on victims.
- Understanding the link between substance abuse and Sexual Misconduct.
- Which employees are "Responsible Employees" and which individuals and offices are confidential resources for Students.
- Reasonable, appropriate, and sensitive investigative, interview, and hearing techniques that protect victim safety and promote accountability.
- Issues related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking.

ARTICLE II. HOW AND WHERE TO REPORT ALLEGED SEXUAL MISCONDUCT

Because Sexual Misconduct may in some instances constitute both a violation of College policy and criminal activity, and because the College grievance process is not a substitute for instituting legal action, **the College encourages individuals to report alleged Sexual Misconduct promptly to College officials and to law enforcement authorities, where appropriate.**

Individuals have the option not to report alleged Sexual Misconduct to campus officials or to law enforcement authorities. The College respects the individual's decision in regards to reporting; however, subject to the Confidentiality provisions outlined in Article III of this Policy, if information about Sexual Misconduct comes to the attention of the College, the College (1) will start an investigation even in the absence of a filed Complaint and/or (2) may notify appropriate law enforcement authorities if required or warranted by the nature of the information of which it becomes aware.

Section 2.01 Reporting to Local Law Enforcement

Individuals may file a complaint directly with local law enforcement agencies by dialing 911. Dispatch may connect you with Erskine College, Due West, or Abbeville County law enforcement.

Individuals may also contact any of the following for assistance in filing a complaint with local law enforcement:

- (a) The Erskine College Police Department, available by phone at 864-379-8869 or (864) 378-1650, by email at estep@erskine.edu, and in person in the Erskine College Police Department Building. The Erskine College Police Department is on duty from 9:00 p.m. to 5:00 a.m., seven days per week.
- (b) The College's Title IX Coordinator, Buck Brown, Director of Institutional Research, available from 8:00 a.m. to 4:00 p.m., Monday through Friday, by phone at (864) 379-8805, by email at brown@erskine.edu, or in person in Belk 238.

Individuals may inform law enforcement authorities about Sexual Misconduct and discuss the matter with a law enforcement officer without making a College Complaint. Individuals who make a criminal complaint may also choose to pursue a College Complaint simultaneously.

Section 2.02 Reporting to the College

If you wish for information regarding Sexual Misconduct to be investigated and addressed pursuant to this Policy, you must disclose such information to the **Title IX Coordinator** or to a **Responsible Employee**. *See Section 1.06 for a list of the College's Responsible Employees.* These individuals are REQUIRED to investigate and address allegations of Sexual Misconduct (or relay the allegations to the Title IX Coordinator to do so). Individuals who are not listed below are not subject to the same requirement (and in some instances, such as is generally the case with Strictly Confidential Resources, are prohibited from reporting alleged Sexual Misconduct to others absent an express directive from the alleged victim to do so).

Erskine College and Erskine Theological Seminary Employee Resource Handbook. This handbook is not a contract (Refer to the disclaimer on the cover page and on the Employee Acknowledgement Form); it replaces any and all prior versions and may be amended. Revised September 2017.

Individuals may report information regarding Sexual Misconduct on their own behalf (i.e., as alleged victims) OR on behalf of the alleged victim (i.e., as Third-party Reporters).

If the Title IX Coordinator is the Respondent or is otherwise at issue in a Complaint, or if an individual is otherwise uncomfortable making a Complaint to the Title IX Coordinator, he or she may report alleged Sexual Misconduct to the Senior Vice President for Finance and Operations (by phone at (864) 379-8812 and located in Belk Hall).

No member of the College community may discourage an individual from reporting alleged incidents of Sexual Misconduct. **With the exception of certain research-based disclosures described in the following paragraph, a Responsible Employee with any knowledge (including firsthand observation) about a known or suspected incident of Sexual Misconduct must report the incident to the Title IX Coordinator.** No employee is authorized to investigate or resolve Complaints without the approval and involvement of the Title IX Coordinator.

Disclosures of incidents of alleged Sexual Misconduct made by an individual during such individual's participation as a subject in an Institutional Review Board–approved human subjects research protocol (an “Approved Research Project”) will not be considered notice to the University of Sexual Misconduct for purposes of triggering its obligation to investigate the incident at issue. (Said another way, a Responsible Employee whose knowledge of a known or suspected incident of Sexual Misconduct is gained as a result of conducting an Approved Research Protocol is not required to report the incident to the Title IX Coordinator.) Institutional Review Boards may, in appropriate cases, require researchers to provide information to all subjects of a study about the subjects' Title IX rights and about available University and community resources and support services with regard to Sexual Misconduct.

ARTICLE III. CONFIDENTIALITY

Section 3.01 Confidentiality in Reporting and Disclosure

The College encourages victims of Sexual Misconduct to talk to someone about what happened, both so that they can get the support they need and so that the College can respond appropriately. The College wants individuals to be aware of the various reporting and confidential disclosure options available to them so that they can make informed choices about where to turn should they be subjected to Sexual Misconduct.

- (a) **Licensed Mental Health Counselors and Medical Staff.** Individuals may discuss alleged Sexual Misconduct in strict confidence with College employees who work in the following offices (“Strictly Confidential Resources”):
 - (i) Health and Counseling Services (864-379-2345)
 - (ii) Chaplain (864-379-6675)

This means that Personally Identifiable Information shared with Strictly Confidential Resources is not part of students’ or employees’ College records and will not be reported to other College personnel (including the Title IX Coordinator), to the Respondent, or to others (unless the disclosing individual gives his or her consent to the disclosure or the law requires it (as may be the case with alleged Sexual Misconduct involving a minor or under conditions involving imminent harm to one or more members of the College community, for example)).

Strictly Confidential Resources are not Responsible Employees and therefore are not required to (and will not, absent direction from the disclosing individual to do so) report incidents of alleged Sexual Misconduct to the Title IX Coordinator. For purposes of clarity, please understand that many of the College employees who are not Strictly Confidential Resources are Responsible Employees. Communications made to Responsible Employees (and others) are not entitled to the same confidentiality protections as those made to Strictly Confidential Resources

- (b) **Responsible Employees.** A disclosure to a Responsible Employee (defined in Section 1.06) constitutes a report to the College and obligates the College to investigate the incident and take appropriate steps to address the allegations.

Section 3.02 Confidentiality in the Investigation and Resolution Processes

- (a) **Sharing of Information (Applicable to All Reports and Complaints).** The College will respect and will make every feasible effort to avoid the inappropriate disclosure of the information shared by and the identities of the parties involved in Sexual Misconduct matters.

Information regarding alleged Sexual Misconduct will generally be disclosed by College personnel only as follows:

- (i) The College's Responsible Employees will (and are obligated to) report information regarding alleged Sexual Misconduct to the Title IX Coordinator (see Section 2.02 for additional information on reporting to Responsible Employees).
 - (ii) College personnel will (and are obligated to) handle information regarding alleged Sexual Misconduct in accordance with applicable local, state, and federal laws. For example, under conditions of potential imminent harm to the community, the College may be required by federal law to inform the community of the occurrence of the alleged incident(s) of Sexual Misconduct. Similarly, information regarding the alleged Sexual Misconduct may be used as a statistical, anonymous report for data collection purposes under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46) (the "Clery Act") which requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on or near their respective campuses.
 - (iii) College personnel may report alleged Sexual Misconduct to local law enforcement if warranted by the nature of the allegations at issue.
 - (iv) College administrators will share information regarding alleged Sexual Misconduct, as appropriate and necessary, in order to address and resolve the allegation(s) at issue, prevent the recurrence of similar Sexual Misconduct, and address the effects of the Sexual Misconduct.
- (b) **Requests for Confidentiality.** If information regarding alleged Sexual Misconduct is shared with Responsible Employees, and the victim desires that
- the information not be shared with other Responsible Employees, with the Respondent, or with others, even as appropriate and necessary to address the allegations,
 - that the College not investigate the information, or
 - that no disciplinary action be taken,
- the victim must request that the College treat such information as confidential. This request must be made to the Title IX Coordinator.
- (i) **Evaluation of the Request.** The College takes requests for heightened confidentiality seriously; however, granting such requests may limit the College's ability to investigate and take reasonable action in response to a Complaint. The Title IX Coordinator will evaluate the request for confidentiality in the context of the College's commitment to provide a reasonably safe and non-discriminatory environment and will determine whether such request will be granted. In order to make such a determination, the Title IX Coordinator may conduct a preliminary investigation into the alleged Sexual Misconduct and may weigh requests for confidentiality against the following factors, among others:
- 1) the seriousness of the alleged Sexual Misconduct (including, but not limited to, whether the Sexual Misconduct was perpetrated with a weapon);

- 2) the increased risk that the alleged perpetrator will commit additional acts of Sexual Misconduct, such as (A) whether there have been other reports or complaints against the alleged perpetrator, (B) whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of Sexual Misconduct or a history of violence, (C) whether the alleged perpetrator threatened further Sexual Misconduct or threatened violence against the victim or others, or (D) whether the Sexual Misconduct was committed by multiple perpetrators;
- 3) whether the information reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group or person;
- 4) the Respondent's right to receive information about the allegations if the information is maintained by the College as an Education Record;
- 5) whether the victim is a minor; and
- 6) whether the College possesses other means to obtain relevant evidence of the Sexual Misconduct (e.g., security cameras or security personnel, physical evidence).

The presence of one or more of these factors may lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College may honor the request for confidentiality.

- (ii) **Determination as to Whether Request Can Be Granted.** The Title IX Coordinator will inform the person requesting confidentiality whether the College intends to honor the request or whether the College intends to pursue investigation and/or resolution in spite of the request.

If the College determines that it cannot maintain confidentiality, it will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for addressing the allegations. The College will also take ongoing steps to protect the victim from Retaliation or harm and work with the victim to create a safety plan, if warranted, and assist the victim in accessing other services and interim measures (see Section 5.02(a)).

If the College honors the request for confidentiality, the College's ability to investigate and take reasonable action in response to an allegation of Sexual Misconduct may be limited. A Respondent is entitled to know the name of the accuser and information regarding the nature of the allegations in order to defend against the allegations; thus, the College may not be able both to adjudicate the Complaint and to maintain confidentiality during that process.

Even when the College determines to abide by a request for confidentiality (and even if such request limits the College's ability to take disciplinary action against the Respondent):

- 1) To the extent practicable and appropriate, the College will take prompt action to limit the effects of the alleged Sexual Misconduct and to prevent its recurrence. For instance, the College may take appropriate interim measures to ensure an individual's safety even in the absence of a College proceeding. The College may also consider broader remedial action (such as increased monitoring, supervision, or security at locations where reported sexual violence occurred, increased education and prevention efforts, including to targeted population groups, and climate assessments).
- 2) Information regarding the alleged Sexual Misconduct may be included in College records, as necessary and appropriate.
- 3) College personnel will (and are obligated to) handle information regarding alleged Sexual Misconduct in accordance with applicable local, state, and federal laws. For example, under conditions of potential imminent harm to the community, the College may be required by federal law to inform the community of the occurrence of the alleged incident(s) of Sexual Misconduct. Similarly, information regarding the alleged Sexual Misconduct may be used as an anonymous report for data collection purposes under the Clery Act.

Please note that the College cannot control disclosure by students or third parties.

Reporting to the College:

WHAT HAPPENS AFTER I REPORT?

<p>If you reported directly to the Title IX Coordinator:</p>	<p>The Title IX Coordinator will initiate the investigation and resolution process (unless you request confidentiality pursuant to Section 3.02(b), in which case the information will be held in confidence unless the Title IX Coordinator determines that, due to the College's commitment to provide a reasonably safe and non-discriminatory environment, the request cannot be granted).</p>
<p>If you reported to a Responsible Employee:</p>	<p>The Responsible Employee will forward the information to the Title IX Coordinator, who will initiate the investigation and resolution process (unless you request confidentiality pursuant to Section 3.02(b) in which case the information will be held in confidence unless the Title IX Coordinator determines that, due to the College's commitment to provide a reasonably safe and non-discriminatory environment, the request cannot be granted).</p>
<p>If you confided in Health and Counseling Services or the Chaplain:</p>	<p>The information you provided will remain strictly confidential and will not* be reported to the Title IX Coordinator (or anyone else) for investigation and resolution.</p> <p><i>*Remember that in unusual circumstances the information you share with Health and Counseling Services or the Chaplain (such as situations involving imminent harm to a member of the community or situations involving abuse of a minor) may be disclosed.</i></p>
<p>If you reported to someone else (i.e., someone other than the Title IX Coordinator, a Responsible Employee, Health and Counseling Services, or the Chaplain):</p>	<p>The individual may or may not report details regarding the information you provided to the Title IX Coordinator. This is because the individual to whom you reported is not <i>obligated</i> to relay allegations of Sexual Misconduct to the Title IX Coordinator (and, conversely, is likely not <i>obligated</i> to maintain the information you shared in confidence).</p> <p><i>For this reason, if you would like the information you share to be addressed by Erskine College, direct it to a Title IX Coordinator or a Responsible Employee. Conversely, if you would like the information you share to be maintained in strict confidence, direct it to Health and Counseling Services or the Chaplain.</i></p>

**ARTICLE IV.
GENERAL PROVISIONS APPLICABLE TO
ALL ALLEGATIONS OF SEXUAL MISCONDUCT**

Section 4.01 Oversight

The Title IX Coordinator will be responsible for overseeing the prompt, fair, and impartial investigation and resolution of Complaints filed with or disclosed to the College.

Section 4.02 Conflicts

If any employee designated by this Policy to participate in the investigation or resolution of a Complaint is the Respondent, then the Title IX Coordinator will appoint another College administrator to perform such person's duties under this Policy. (If the Title IX Coordinator is the Respondent, then the President of the College will appoint another College employee to perform his or her duties under this Policy.)

Section 4.03 Advisors

Both the Complainant and the Respondent may have one advisor present to support and assist them throughout the Complaint process (including, but not limited to, during related prehearing meetings, during investigative interviews, and during the hearing or proceeding). The Complainant and the Respondent are not limited in their choice of advisor. Advisors may be friends, victim advocates, lawyers, or others. The Complainant and the Respondent may consult with their respective advisors during meetings and/or during any hearing or proceeding, provided that such consultation is not disruptive. Advisors may not, however, have a speaking role during any meeting or hearing. In addition, the advisor's attendance may be disallowed if such advisor's presence would be obstructive or would otherwise warrant his or her removal. Absent accommodation for disability, the Complainant and the Respondent may not be accompanied by more than one advisor or by other individuals during meetings and/or the hearing.

Section 4.04 Timing

The College will make every reasonable effort to ensure that the investigation and resolution of a Complaint occurs in as timely and efficient a manner as possible. The College's investigation and resolution of a Complaint (not including an appeal, if applicable) will generally be completed within 60 calendar days of the receipt of the Complaint, absent extenuating circumstances. A hearing, if any, will take place within 20 business days of the conclusion of the investigation. If a hearing has taken place, both the Complainant and the Respondent will receive a Final Outcome Letter within 20 business days of the conclusion of the hearing. Any party may request an extension of any deadline by providing the Title IX Coordinator with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The Title IX Coordinator may modify any deadlines contained in this Policy as necessary and for good cause.

Section 4.05 Documentation

The College will retain documentation (including but not limited to the written Complaint, notifications, the Investigative Report, written findings of fact, petitions for appeal, and any written

communication between the parties), for at least seven years. Documentation pertaining to expulsions or degree revocations will be retained indefinitely or in accordance with College policy.

Section 4.06 Prohibition on Retaliation

Retaliation against any person for filing, supporting, or providing information in good faith in connection with a Complaint of Sexual Misconduct is strictly prohibited. Violations of this prohibition will be addressed through this Policy and/or other College disciplinary procedures, such as the Student Code of Conduct, as deemed appropriate in the College's discretion. Any person who feels that he or she has been subjected to Retaliation should make a report to the Title IX Coordinator.

Section 4.07 Prohibition on Providing False Information

Any individual who knowingly files a false Complaint under this Policy, who knowingly provides false information to College officials, or who intentionally misleads College officials who are involved in the investigation or resolution of a Complaint may be subject to disciplinary action.

Section 4.08 Individuals with Disabilities

The College will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations, to the extent necessary and available, to participate in the steps and procedures outlined in this Policy. Requests for accommodations must be made to the Office of Student Development (located on the second floor of Watkins Student Center and available by phone at 864-379-8701). The Office of Student Development will review the supporting disability-related documentation, make a decision about the request, notify the individual about approved accommodations, and make arrangements for the accommodations.

**ARTICLE V.
THE PROCESS APPLICABLE
TO ALL COMPLAINTS OF SEXUAL MISCONDUCT**

Section 5.01 STEP 1: A Report of Sexual Misconduct Becomes a Complaint

A Complaint may be initiated in one of the following ways:

- (a) An alleged victim may file a written Complaint with the College or a third party may file a written Complaint on his or her behalf. An alleged victim may complete a Sexual Misconduct Complaint Form (found in the Office of Student Development, the Office of Human Resources, and in the office of the Title IX Coordinator) provided by the College or may submit a written statement in his or her own words providing sufficient information for the College to investigate the allegations contained therein (including but not limited to the name of the alleged victim, the name of the alleged perpetrator, and the date, location, and nature of the alleged Sexual Misconduct).
- (b) An alleged victim can meet in person with the Title IX Coordinator to report alleged Sexual Misconduct. In such a situation, the Title IX Coordinator will ask the alleged victim to complete a Complaint form provided by the College.
- (c) The College can determine, based on the information of which it becomes aware, that it is necessary and/or appropriate for it to investigate the information available to it.

Once a Complaint is initiated, an alleged victim will be referred to as a “Complainant” and an alleged perpetrator will be referred to as a “Respondent.”

Section 5.02 STEP 2: Evaluation of Interim Measures and Interim Disciplinary Sanctions

Following the initiation of a Complaint (and at any point during the Complaint, investigative or disciplinary processes, if the Title IX Coordinator deems it necessary for the protection of any member of the College community), the Title IX Coordinator will determine which, if any, of the following measures and/or actions should be taken:

- (a) **Interim Protective Measures for Complainants.** When warranted to ensure the safety and wellbeing of the Complainant, the Title IX Coordinator may implement one or more interim measures, if appropriate and/or reasonably available, including but not limited to the following:
 - (i) Issuing no-contact orders to prevent any contact between the Complainant, the Respondent, witnesses, and/or third parties;
 - (ii) Changing a Complainant’s or a Respondent’s on-campus housing, if any, to a different on-campus location and providing assistance from College personnel in completing the relocation;
 - (iii) Changing a Complainant’s or a Respondent’s assigned dining facilities;

- (iv) Changing a Complainant's or a Respondent's work arrangements or schedules; and
 - (v) Changing academic schedules (such as moving the Complainant or the Respondent from one class section to another).
- (b) **Interim Disciplinary Measures for Respondents.**
- (i) **Student Respondents.** When a Student Respondent's alleged actions or behaviors affect the safety, health, or general welfare of the Complainant, other Students, and/or the College community, the Title IX Coordinator may impose interim disciplinary measures prior to the adjudication of the Complaint pursuant to this Policy.

Possible interim measures include but are not limited to (a) prohibiting the Respondent from being on College property and/or using College facilities (including residence halls and all other areas controlled, leased, or used by the College) (b) prohibiting the Respondent from attending classes or limiting class attendance, (c) prohibiting the Respondent from participating in and/or attending Student programs and activities, (d) suspension, (e) prohibiting the Respondent from representing the College on athletic teams or in leadership positions, and (f) prohibiting the Respondent from having contact with specified persons.

The Title IX Coordinator will notify the Respondent of the proposed interim measure(s) in writing. The Title IX Coordinator or the Respondent may request a meeting to discuss the restrictions to be imposed by the interim measure(s). The Respondent must make this request in writing to the Title IX Coordinator. If a meeting is requested, such meeting will be scheduled within three business days of the receipt of a written request. The Title IX Coordinator will conduct the meeting. The Respondent will be notified of the outcome of the meeting in writing. The written notification of the outcome is final as to the interim disciplinary action, pending the final results of the adjudication of the Complaint pursuant to this Policy.

- (ii) **Employee Respondents.** When an employee Respondent's alleged actions or behaviors affect the safety, health, or general welfare of the Complainant, Students, other employees, and/or the College community, the Title IX Coordinator may:
 - 1) take such steps as are reasonable, appropriate, and necessary to restrict the Respondent's movement on campus; or
 - 2) take such steps as are reasonable, appropriate, and necessary to adjust the job duties of such Respondent or place him or her on administrative leave. Determinations regarding employee discipline will be made in accordance with the College's policies and procedures governing such matters.

Section 5.03 STEP 3: Initial Meetings with the Title IX Coordinator

Erskine College and Erskine Theological Seminary Employee Resource Handbook. This handbook is not a contract (Refer to the disclaimer on the cover page and on the Employee Acknowledgement Form); it replaces any and all prior versions and may be amended. Revised September 2017.

- (a) **Complainant's Initial Meeting with the Title IX Coordinator.** As soon as is practicable, the Title IX Coordinator will contact the Complainant to schedule an initial meeting. (If the person who reported the alleged Sexual Misconduct is a Third-party Reporter, the Title IX Coordinator will attempt to meet with him or her as soon as possible to gather information.) At this initial meeting, the Title IX Coordinator will, as applicable:
- (i) provide the Complainant a copy of this Policy;
 - (ii) provide the Complainant with a Sexual Misconduct Complaint Form on which the Complainant may, if he or she agrees to disclose the information, provide details regarding the allegation, including the name of the accused individual and the date, location, and general nature of the alleged Sexual Misconduct (the Complainant may either complete the complaint form him- or herself or he or she may choose to dictate the information to the Title IX Coordinator, who will confirm the accuracy of his or her documentation with the Complainant);
 - (iii) explain the steps involved in the Sexual Misconduct investigation;
 - (iv) discuss confidentiality standards and concerns;
 - (v) determine whether the Complainant wishes to pursue a resolution through the College or no resolution of any kind;
 - (vi) refer the Complainant to Health and Counseling Services, or other resources, as appropriate;
 - (vii) discuss protection from and reporting of Retaliation; and
 - (viii) discuss with the Complainant, as appropriate, possible interim measures that can be provided to him or her during the pendency of the investigative and resolution processes. The College may implement such measures if requested, appropriate, and/or reasonably available, whether a Complaint has been filed (with either campus officials or law enforcement agencies) or whether an investigation has commenced (by either campus officials or law enforcement agencies). Interim measures may include the protective measures listed in Section 5.02(a) and/or other appropriate interim measures, such as:
 - 1) arranging to dissolve a campus housing contract and offering a pro-rated refund;
 - 2) rescheduling class work, assignments, and examinations;
 - 3) arranging for the Complainant to withdraw from or take an incomplete in class without penalty;
 - 4) providing academic support services;
 - 5) providing alternative course completion options;

- 6) permitting a temporary withdrawal from the College; and
- 7) providing counseling services.

Following the initial meeting with the Complainant, the Title IX Coordinator will, if applicable, promptly determine the interim measures to be provided to the Complainant. Such determination will be promptly communicated to the Complainant (and in no event later than the point at which it is communicated to the Respondent) and the Respondent.

(If protective measures have already been implemented pursuant to Section 5.02(a), the Title IX Coordinator will evaluate whether they should continue to be provided and whether other interim measures, such as those listed above, should also be implemented.)

- (b) **Respondent's Initial Meeting with the Title IX Coordinator.** As soon as is reasonably practicable after the Title IX Coordinator's initial meeting with the Complainant, the Title IX Coordinator will schedule an initial meeting with the Respondent. During the initial meeting with the Respondent, the Title IX Coordinator will, as applicable:
 - (i) provide the Respondent, in writing, information consistent with state and federal privacy laws and, if applicable, the Complainant's request for heightened confidentiality, that is sufficient to allow him or her to respond to the substance of the allegation, including, if possible, the name of the Complainant and the date, location, and nature of the alleged Sexual Misconduct;
 - (ii) provide the Respondent a copy of this Policy;
 - (iii) explain the steps involved in a Sexual Misconduct investigation;
 - (iv) discuss confidentiality standards and concerns with the Respondent;
 - (v) discuss non-Retaliation requirements with the Respondent;
 - (vi) inform the Respondent of any interim measures already determined and to be provided to the Complainant that directly affect the Respondent (e.g., changing the Respondent's class schedule, or moving the Respondent to an alternate residence hall);
 - (vii) refer the Respondent to Health and Counseling Services or other resources, as appropriate; and
 - (viii) discuss with the Respondent, as appropriate, possible interim measures that can be provided to the Respondent during the pendency of the investigative and resolution processes. The College may implement such measures if requested and/or appropriate, and reasonably available, whether a Complaint has been filed (with either campus officials or law enforcement agencies) or whether an investigation has commenced (by either campus officials or law enforcement agencies).

Section 5.04 STEP 4: The Investigation

- (a) **Effect of Corollary Criminal Investigation.** The College's investigation may be delayed temporarily while criminal investigators are gathering evidence. In the event of such a delay, the College may take interim measures when necessary to protect the Complainant and/or the College community.

Neither the results of a criminal investigation nor the decision of law enforcement to investigate or decline to investigate a matter is determinative of whether Sexual Misconduct, for the purposes of this Policy, has occurred.

- (b) **The Title IX Coordinator's Initial Determination.** The Title IX Coordinator will promptly appoint an Investigator, will share his or her name and contact information with the Complainant and the Respondent, and will forward the Complaint to the Investigator *unless* it is clear on its face that *no* reasonable grounds exist for believing that the conduct at issue constitutes Sexual Misconduct.

Within three business days of such appointment, the Investigator, the Complainant, or the Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest posed by assigning such Investigator to the matter. The Title IX Coordinator will carefully consider such statements and will assign a different individual as Investigator if it is determined that a material conflict of interest exists.

In the event that the Complaint was made by a Third-party Reporter, the Title IX Coordinator will also consider the following factors in determining whether it is reasonable to assign Investigators to investigate the Complaint:

- (i) The source and nature of the information,
- (ii) The seriousness of the alleged incident,
- (iii) The specificity of the information,
- (iv) The objectivity and credibility of the source of the information,
- (v) Whether the individuals allegedly subjected to the Sexual Misconduct can be identified, and
- (vi) Whether those individuals wish to pursue the matter.

In the event that the Title IX Coordinator determines that an investigation of the Complaint is not warranted, he or she will close the Complaint, document the closure, and promptly notify the Complainant and the Respondent of the closure and the rationale for the closure.

- (c) **The Investigator's Activities.** Upon receipt of the Complaint, the Investigator will promptly begin the investigation, taking such steps as:

- (i) Conducting interviews with the Complainant, the Respondent, and third-party witnesses (including expert witnesses, where applicable) and summarizing such interviews in written form;
- (ii) Visiting, inspecting, and taking or reviewing photographs at relevant sites where applicable; and
- (iii) Collecting and preserving relevant evidence (in cases of corresponding criminal complaints, this step may be coordinated with law enforcement agencies) where applicable.

Throughout the investigation, the Investigator will remain neutral.

The Investigator should obtain, where applicable and where possible, the written consent of any third-party witnesses to the disclosure, as contemplated by this Policy, of any Personally Identifiable Information contained in the Complaint, the Investigative Report, and/or any other documents the disclosure of which is contemplated by this Policy in order to further the resolution of the Complaint.

- (d) **The Investigator's Report.** The Investigator will complete a written investigative report that includes items such as summaries of all interviews conducted, photographs, descriptions of relevant evidence, summaries of relevant electronic records, and a detailed report of the events in question (the "Investigative Report"). The Investigator will share the Investigative Report with the Title IX Coordinator, who will make it (concurrently) available to the Complainant and to the Respondent to review, after redacting from it information that would not be admissible at a hearing on the matter pursuant to this Policy. The Complainant and the Respondent may not make photocopies of the Investigative Report.

All parties to whom the Investigative Report is distributed pursuant to this Policy must maintain it in confidence (even after the resolution of the Complaint); the Investigative Report may only be disclosed as is contemplated by this Policy.

Section 5.05 STEP 5: The Title IX Coordinator's Evaluation of the Investigative Report

The Title IX Coordinator will evaluate the Investigative Report and will direct that the Complaint will proceed to adjudication according to the procedures set forth in Article VI below *unless* it is clear from the Investigative Report that no reasonable grounds exist for believing that the conduct at issue constitutes Sexual Misconduct.

The Title IX Coordinator will specify which allegations and, if applicable, which other, related alleged misconduct, will go forward for resolution under this Policy.

If the Title IX Coordinator finds that it is clear from the Investigative Report that no reasonable grounds exist to believe that the conduct at issue constitutes Sexual Misconduct, then the Title IX Coordinator will close the Complaint, document the closure, and promptly notify the Complainant and the Respondent of the closure and the rationale for the closure.

ARTICLE VI. RESOLUTION

Section 6.01 Respondent's Acknowledge of Responsibility Prior to Hearing

At any time prior to the date of the hearing, the Respondent may elect to acknowledge his or her actions and take responsibility for the alleged Sexual Misconduct. In such a situation, the Title IX Coordinator will propose sanction(s) for the Respondent. If the Complainant and the Respondent agree to such proposed sanction(s), then the Complaint will be resolved without a hearing and without any further rights of appeal by any party.

If either the Complainant or the Respondent objects to such proposed sanction(s), then a Hearing Board will convene for the exclusive purpose of determining a sanction in accordance with Section 6.02(c)(ii). The sanction(s) determination may be subject to appeal pursuant to Article VII.

Section 6.02 The Resolution Process

A Hearing Board will conduct a hearing in which it will interview and question the Complainant, the Respondent, and any witnesses or other third parties whose testimony the Hearing Board deems relevant. The Title IX Coordinator is not required to attend the hearing but may attend and observe the hearing if he or she deems it appropriate.

(a) The Hearing Board.

- (i) **Composition of the Hearing Board.** The College's Committee on Discipline and Appeals will constitute the "Hearing Board," provided, however, that student members of the College Committee on Discipline and Appeals will not serve on the Hearing Board. The chair of the Committee on Discipline and Appeals will be the Chair of the Hearing Board. The Title IX Coordinator will share the Complaint and the Investigative Report (redacted, if applicable, pursuant to Section 5.04(d)) with the Hearing Board and, if only a portion of the misconduct alleged in the Complaint justifies continuing to the hearing process, the Title IX Coordinator will specify which part(s) of the alleged misconduct will be the subject of the hearing.
- (ii) **Notice of the Composition of the Hearing Board.** The Title IX Coordinator will provide concurrent written notice to the Complainant and the Respondent setting forth the names of the individuals serving on and chairing the Hearing Board. If only a portion of the alleged misconduct justifies continuing to the hearing process, the Title IX Coordinator will also specify in the notice which part(s) of the alleged misconduct will be the subject of the hearing.

The parties may challenge the participation of any member of the Hearing Board by submitting a written objection to the Title IX Coordinator within three business days of receipt of the notice of the composition of the Hearing Board. Such objection must state the specific reason(s) for the objection. The Title IX Coordinator will evaluate the objection and determine, in consultation with the Vice President for

Student Development and Dean of Students and/or the Senior Vice President for Finance and Operations, as appropriate, whether to alter the composition of the Hearing Board. Failure to submit a timely and proper objection will constitute a waiver of any right of objection to the composition of the Hearing Board. Any changes in the composition of the Hearing Board will be provided in writing to both parties prior to the date of the hearing.

(b) Hearing Policies and Procedures

- (i) Submission of Written Materials by the Parties.** Within five business days of receipt of the notice of composition of the Hearing Board, the Complainant and the Respondent may provide the Title IX Coordinator with (1) a list of witnesses, if any, that they propose that the Hearing Board call and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute, and (2) a written statement of position. The Title IX Coordinator will share such information with the Hearing Board.
- (ii) Notice of the Hearing.** Not less than five business days but not more than ten business days after delivery of notice of the composition of the Hearing Board to the parties, the Hearing Board will provide a separate notice to each of the Complainant, the Respondent, and any witnesses or other third parties whose testimony the Hearing Board deems relevant, requesting such individual(s) to appear before the Hearing Board. The notice should set forth, as applicable, the date, time, and location of the hearing (which ordinarily will be no more than 20 business days following the conclusion of the investigation.) In its notices to the Complainant and the Respondent, the Hearing Board will provide the names of the witnesses or other third parties that the Hearing Board plans to call.
- (iii) Failure to Appear.** If the Complainant and/or the Respondent fails to appear before the Hearing Board if requested to do so, and such party was provided proper notice of the hearing as set forth above, then absent extenuating circumstances, the Hearing Board will proceed to determine the resolution of the Complaint.
- (iv) No Contact Prior to the Hearing.** The Complainant and the Respondent may not contact each other outside of the hearing, even to discuss the hearing.
- (v) Counsel and Support Persons.**

 - 1) Legal Counsel.** The College may seek advice from counsel at any time (although such counsel will not be present during the hearing).

- 2) **Advisors.** As provided in Section 4.03, both the Complainant and the Respondent may have an advisor present to support and assist them during the hearing.
 - 3) **Other Advisors.** Absent accommodation for disability and except as set forth in this section, the parties may not be accompanied by any other individual during the hearing process.
- (vi) **Evidentiary Matters.** The Complainant and the Respondent will have an equal opportunity to present evidence. Formal rules of evidence will not be observed during the hearing.

Evidence of the past sexual histories of the Complainant and the Respondent will not be permitted at the hearing, with the following exceptions:

- 1) evidence is permitted to show that the Complainant has in the past been formally disciplined by the College for falsely filing Complaints alleging Sexual Misconduct,
 - 2) evidence is permitted to show that the Respondent has in the past been either convicted in a criminal proceeding or formally disciplined by the College for Sexual Misconduct, and
 - 3) evidence regarding the past sexual activity of the Respondent (regardless of whether the Respondent was formally charged with a violation of the Policy with respect to such conduct) may be permitted to show that the Respondent has engaged in a pattern of behavior similar to the alleged Sexual Misconduct at issue before the Hearing Board, provided that (1) the Respondent has not been found "not responsible" by the College in a proceeding related to such sexual activity and (2) the Hearing Board has found both that the evidence is reliable and trustworthy and that the conduct is sufficiently and substantially similar to the conduct at issue before the Hearing Board to suggest a pattern of behavior.
- (vii) **Conduct of the Hearing.**
- 1) **Generally.** The hearing will be conducted in an inquisitorial manner, which means that the Hearing Board will be responsible for asking questions of the parties and the witnesses and developing evidence through testimony. The Chair of the Hearing Board will resolve any questions concerning procedure or the admission of evidence or testimony (including the relevancy and reliability of the evidence and testimony). Members of the College community are expected to provide truthful testimony.
 - 2) **Testimony.** The Respondent and/or the Complainant may choose not to testify before the Hearing Board; however, the affirmative

exercise of that option will not preclude the Hearing Board from making a determination regarding the Complaint.

- 3) **Remote Testimony.** Upon timely request, the College may provide for remote testimony in appropriate circumstances. The Title IX Coordinator has the sole discretion to determine whether remote testimony will be made available.
- 4) **Recording.** The College may record the hearing. This recording will be the property of the College. The Presidential Appeals Committee may use the recording as part of the appeal process. At the conclusion of the appeal process, the recording will be destroyed.

(c) **Outcome.**

- (i) **The Decision of the Hearing Board.** Following the conclusion of the hearing, the Hearing Board will confer and by majority vote determine whether the evidence (including the information provided in and by the Investigative Report, the parties' written statements, if any, the evidence presented at the hearing, and the testimony of the parties and witnesses) establishes that it is more likely than not that the Respondent committed Sexual Misconduct. The Hearing Board will prepare written findings of fact in support of its decision and will render a finding of "Responsible" or "Not Responsible." If the Respondent is found "Responsible," the Hearing Board will specify the specific type(s) of Sexual Misconduct, if any, for which the Respondent is found "Responsible" (for example, Sexual Assault, Stalking, etc.).
- (ii) **Sanctions.** If the Hearing Board renders a finding of "Responsible," it will determine appropriate sanctions to be imposed on the Respondent.
 - 1) **Generally.** Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for Sexual Misconduct, or both. Sanctions may include, without limitation:
 - a) For students: mandated counseling, training, suspension or expulsion from the College, disciplinary probation, expulsion from campus housing, loss of privileges, and/or other educational sanctions as are deemed appropriate by the Hearing Board.
 - b) For employees: mandated counseling, training, warning, written reprimand, withholding of a promotion or pay increase, reassigning employment, temporary suspension without pay, compensation adjustment, terminating employment, and/or other employment sanctions as are deemed appropriate by the Hearing Board.

In determining sanctions, the Hearing Board will give consideration to whether a given sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation. The Hearing Board will forward its determinations regarding sanctions to the Title IX Coordinator.

2) **Implementation of Sanctions.** Sanctions imposed are not effective until the resolution of any timely appeal pursuant to Article VII. However, if it is advisable in order to protect the welfare of the Complainant or the College community, the Hearing Board may recommend and/or the Title IX Coordinator may determine that any sanctions be effective immediately and continue in effect until such time as the appeal process is exhausted.

(iii) **Final Outcome Letter.** Within ten calendar days following the conclusion of the hearing (or such longer time as the Chair of the Hearing Board may for good cause determine), the Hearing Board will issue a written decision letter (the "Final Outcome Letter") concurrently to the Respondent and the Complainant.

For employee and third-party Respondents, the Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible or a statement that the Respondent was found not to have violated this Policy, and (3) the sanctions imposed on the Respondent, if any, and (4) the rationale for the finding and the sanctions. Where appropriate, the Final Outcome Letter may set forth names of other individuals, such as a victim or witness, if such other individuals provide their written consent to such inclusion.

For student Respondents alleged to have committed Sexual Assault, the Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible or a statement that the Respondent was found not to have violated this Policy, (3) the rationale for the finding, and (4) the sanctions imposed on the Respondent, if any (setting forth only a description of the disciplinary action taken, the date of its imposition, its duration, and the rationale for such action), and where appropriate, it may set forth names of other individuals, such as a victim or witness, if such other individuals provide their written consent to such inclusion.

For Student Respondents alleged to have committed any other form of Sexual Misconduct, the Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible or a statement that the Respondent was found not to have violated this Policy, (3) the rationale for the finding, and (4) the sanctions imposed on the Respondent, if any (setting forth only a description of the disciplinary action taken, the date of its imposition, its duration, and the rationale for such action). To the extent that the sanctions

imposed on the Respondent do not constitute part of the Complainant's Education Record, then such information will be redacted from the version of the Final Outcome Letter that is provided to the Complainant.

- (iv) **Final Accommodations and Corrective Actions.** In addition to any sanctions imposed on the Respondent, promptly following the conclusion of the hearing(s) and the Hearing Board's issuance of the Final Outcome Letter, the Title IX Coordinator will determine the final accommodations to be provided to the Complainant, if any, and the Title IX Coordinator will communicate such decision to the Complainant, and, to the extent that it affects him or her, to the Respondent. Such accommodations may include, but are not limited to, those listed in Section 5.03(a)(viii) of this Policy.

The Title IX Coordinator will also take steps, where necessary, to prevent the further harassment of or Retaliation against the Complainant or third parties, such as informing them about how to report subsequent problems, following up with them to ensure that there are no subsequent problems, providing trainings for the school community, and providing resources related to Sexual Misconduct or other counseling. The Title IX Coordinator will also, where appropriate, take steps to prevent the harassment of the Respondent.

Furthermore, the Title IX Coordinator will take prompt corrective action if the Complainant experiences Retaliation or is subjected to further Sexual Misconduct or if the original sanctions imposed on the Respondent are ineffective to protect the safety and well-being of the Complainant or other members of the College community. In appropriate cases (such as those involving Sexual Harassment), the Title IX Coordinator will also take reasonable steps to eliminate any hostile environment that has been created. In taking the above-outlined steps, the Title IX Coordinator will make every reasonable effort to minimize the burden on the Complainant.

- (d) **Confidentiality and Disclosure.** In order to comply with FERPA, Title IX, and other applicable laws, and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public.

Documents prepared in anticipation of the hearing (including the Complaint, the Investigative Report, the notice of hearing, and the pre-hearing submissions referenced above) and documents, testimony, or other information introduced at the hearing may not be disclosed, except as may be required or authorized by law.

If it is determined that the Respondent committed Sexual Assault, College policy does not prohibit the further disclosure of the Final Outcome Letter by either the Complainant or the Respondent.

ARTICLE VII. APPEALS

Section 7.01 Appealing Interim Disciplinary Sanctions.

Interim disciplinary measures for employees imposed under Section 5.02(b) may be appealed to the Senior Vice President for Finance and Operations or his or her designee (available by phone at 864-379-8812 and located in Belk Hall).

Interim disciplinary measures for students imposed under Section 5.02(b) may be appealed to the Vice President for Student Development and Dean of Students or his or her designee (available by phone at 864-379-8701 and located in Watkins Student Center).

The decisions of the Senior Vice President for Finance and Operations and the Vice President for Student Development and Dean of Students, respectively, will be final.

Section 7.02 Appealing the Closure of a Complaint Prior to Adjudication

The Complainant and/or the Respondent may appeal the Title IX Coordinator's decision to close the Complaint by submitting a written appeal to the President of the College (and providing a copy of the appeal to the Title IX Coordinator) within ten business days of receipt of the decision. The Title IX Coordinator will promptly inform the other party of the appeal.

Within ten business days (or more, if circumstances warrant) following receipt of the appeal, the President or his or her designee will make a determination as to whether the Complaint should proceed to adjudication or the Title IX Coordinator's decision to close the Complaint should stand. The President or his or her designee will notify the Complainant and the Respondent concurrently of his or her decision.

Section 7.03 Appealing the Results of Adjudication

The Complainant and/or the Respondent may appeal the decision of the Hearing Board and/or the sanction imposed on the Respondent to the College's Presidential Appeals Committee. The decision of the Hearing Board and the sanction imposed on the Respondent may, if desired, be appealed simultaneously.

Except in the case of interim disciplinary measures instituted pursuant to Section 5.02(b) above, the Respondent's status will remain unchanged until the appellate process is final.

(a) **Grounds.**

- (i) **Appealing a Finding of "Responsible" or "Not Responsible."** The Hearing Board's finding of responsibility (i.e., whether the Respondent was found "Responsible" or "Not Responsible") may be appealed on the following grounds:
 - 1) Procedural errors during the hearing substantially affected the outcome of the hearing.
 - 2) There was demonstrated prejudice against any party by any member of the Hearing Board. Such prejudice must be

evidenced by a conflict of interest, bias, pressure, or influence that precluded a fair and impartial hearing.

3) There is newly discovered, relevant information that was not reasonably available at the time of the hearing and that would have substantially affected the outcome of the hearing.

(ii) **Appealing Sanctions Imposed on the Respondent.** The sanctions imposed on the Respondent may be appealed on grounds that the severity of the sanction imposed is extraordinarily disproportionate to the gravity of the Sexual Misconduct for which the Respondent was found responsible.

(b) **Process.**

(i) **Filing an Appeal.** Appeals must be made in writing to the Title IX Coordinator within fourteen business days from the date of the Final Outcome Letter. The appeal must state the reason(s) for the appeal (from among those listed above), the facts supporting the appeal, and the recommended way to correct the error. The Title IX Coordinator will promptly inform the other party (i.e., the Complainant or the Respondent) and Presidential Appeals Committee of the filing of the appeal.

(ii) **Initial File Review.** The Presidential Appeals Committee will begin by reviewing the Complaint file (which includes but is not limited to the Complaint, the Investigative Report, the parties' written statements, and recordings of the hearing). The Presidential Appeals Committee may make an official decision based solely on this review.

(iii) **Additional Information.** If the Presidential Appeals Committee determines a need for additional information, it may request written materials from the Complainant and the Respondent.

(iv) **Decision.**

1) **Regarding Responsibility.** If the Hearing Board issued a finding of "Responsible," the Presidential Appeals Committee may determine (i) that the finding be affirmed or reversed, or (ii) that a new hearing be conducted. If the Hearing Board issued a finding of "Not Responsible," the Presidential Appeals Committee may determine (i) that the finding be affirmed, or (ii) that a new hearing be conducted. The Presidential Appeals Committee will prepare written findings of fact in support of its decision, which will not be subject to further appeal.

2) **Regarding Sanctions.** The Presidential Appeals Committee may recommend that the Hearing Board's determination regarding sanctions be affirmed or overturned. If the Presidential Appeals Committee determines that the

sanctioning decision of the Hearing Board should be overturned, the Presidential Appeals Committee will find either (1) the final sanctions to be imposed on the Respondent, which will not be subject to further appeal, or (2) that another hearing will be convened before the Hearing Board for the sole purpose of considering sanctions, in which case the final sanctions set by the Hearing Board and approved by the Title IX Coordinator will not be subject to further appeal. The Presidential Appeals Committee will prepare written findings of fact in support of its decision.

- (v) **Notification.** Within 15 business days from the later of the date of the initial file review, the Presidential Appeals Committee's receipt of additional written materials (or longer, if reasonably necessary), the Presidential Appeals Committee (or his or her designee) will communicate its final decision concurrently to the Complainant and the Respondent.

Consensual Relationship Policy

As a Christian, academic community committed to creating an environment where students, faculty, and staff can flourish, it is the position of Erskine that sexual activity belongs exclusively within the covenant of marriage between one man and one woman. **Erskine prohibits any form of consensual romantic relationship between any employee and any student.**

There are special risks in any amorous relationship between individuals in unequal positions of authority, and parties in such a relationship assume those risks. In the Erskine context, such positions include (but are not limited to) **faculty/coach/staff** and student or **supervisor** and employee. Erskine, as a Christian institution, does not support inappropriate consensual relationships between employees, even if no supervisory/subordinate relationship exists. There is the potential for conflict of interest, exploitation, favoritism, and bias. Such relationships may undermine the real or perceived integrity of the supervision and evaluation provided.

The relationship may be less consensual than the individual whose position confers power or authority believes and may be perceived in different ways by each of the individuals involved. Circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

Relationships in which one party is in a position to review the work or influence the career, success, or other terms and conditions of employment of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or creates a perception of these problems.

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Reporting Responsibility

If a consensual relationship between a supervisory employee and a subordinate employee exists or begins to develop, the individual in the supervisory position shall immediately notify in writing his or her immediate supervisor or department chair of the relationship and cooperate with that individual in making the arrangements necessary to resolve the conflict of interest.

Immediate Supervisor Responsibility

A supervisor or department chair who is notified, or becomes aware, of a consensual relationship shall confirm that the consensual relationship exists by meeting with the parties involved individually and advising them of this policy. The supervisor shall work with all parties to alter the conditions that create the conflict of interest or the appearance of impropriety caused by the relationship. In most instances, providing an alternative means for supervising or evaluating the subordinate employee will alter the conditions that create the conflict of interest or the appearance of impropriety. Approval from the appropriate vice president is required prior to implementation of the plan. The immediate supervisor or department chair must provide the Office of Human Resources with a written copy of the approved, alternative plan.

Procedure for Failure to Cooperate

Employees in positions of authority who persist in consensual romantic or sexual relationships and fail to cooperate in efforts to eliminate the conflict of interest or appearance of impropriety are subject to disciplinary action up to and including termination.

Non-Harassment and Non-Discrimination Policy

Introduction and Applicability of this Policy

Erskine (“Erskine” or the “College”) is committed to ensuring that no individual is subjected to unlawful harassment or discrimination in connection with, or denied access to, the College’s programs or activities because of his or her race, color, religion, sex, pregnancy, national origin, disability, protected veteran status, age, or any other status protected by applicable federal, state, or local law.

The College also prohibits unlawful discrimination and harassment against employees and applicants for employment based on any status protected by applicable law; these prohibitions apply to all terms and conditions of employment including, but not limited to, recruitment, hiring, placement, promotion, training, discipline, termination, layoff, recall, transfer, leaves of absence, compensation, and benefits.

Examples of the types of conduct prohibited by this policy include, but are not limited to:

- Insults, epithets, jokes, slurs, or offensive comments that relate to race, color, religion, sex, pregnancy, national origin, age, protected veteran status, disability or any other status protected by applicable law.
- The placement, dissemination or circulation of any written, graphic, or electronic material that denigrates or shows hostility or aversion toward an individual or group

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- because of race, color, religion, sex, pregnancy, national origin, age, protected veteran status, disability or any other status protected by applicable law.
- Any other conduct or behavior deemed by the College to be inappropriate or harassing based on race, color, religion, sex, pregnancy, national origin, age, protected veteran status, disability or any other status protected by applicable law.

The College has adopted this Non-Harassment and Non-Discrimination Policy (this “Policy”) to ensure the prompt and equitable resolution of allegations of harassment or discrimination on the basis of the protected classifications identified above.¹ The College has designated Mr. Buck Brown, Non-discrimination Coordinator, to coordinate its efforts to comply with the laws and regulations regarding non-discrimination and non-harassment. The following is Mr. Brown’s contact information:

Mr. Buck Brown, Non-discrimination Coordinator
Belk Hall 238
Two Washington Street
P.O. Box 338
Due West, South Carolina 29639
864-379-8805
brown@erskine.edu

This Policy, however, does not affect the College’s right to exercise its theological, constitutional, or statutory rights to take religion into account to the extent consistent with applicable law.

Employee Reporting Obligation Even if No Grievance Is Filed

Any employee who believes that he or she has been subjected to discrimination or harassment based on a protected classification identified should promptly report the matter to the Non-discrimination Coordinator or use the alternative reporting options set forth below.

Any employee who believes that another employee is being subjected to discrimination or harassment in violation of this Policy should also promptly report such conduct to the Non-discrimination Coordinator or use the alternative reporting options set forth below. If the Non-discrimination Coordinator is the subject of the concern, the employee should contact the

¹ Please note that in the case of concerns regarding, allegations of, or grievances relating to Sexual Misconduct, the College’s Sexual Misconduct Policy applies in lieu of (and not in addition to) this Policy. The College’s Sexual Misconduct Policy provides procedures for reporting concerns, sets forth available resources, describes prohibited conduct, and establishes procedures for responding to allegations of and grievances relating to Sexual Misconduct. Sexual Misconduct, as that term is defined in the College’s Sexual Misconduct Policy, includes dating violence, domestic violence, sexual assault, sexual exploitation, sexual harassment, sexual intimidation, and stalking. Please see the College’s Sexual Misconduct Policy for additional information. The Sexual Misconduct Policy is available at www.erskine.edu and in the College’s Employee Resource Handbook.

Senior Vice President for Finance and Operations (by phone at (864) 379-8812 or in person in Belk Hall).

Who May Grieve? / What May Be Grieved?

Any student currently enrolled at the College and any current employee of the College who believes that he or she has been discriminated against or harassed on the basis of a protected classification identified above may file a grievance under this Policy (the "Grievant"). Any applicant for employment or visitor to the College who believes that he or she has been discriminated against or harassed in violation of the principles in this policy is also encouraged to notify the Non-discrimination Coordinator, but such individuals are not generally afforded the procedures under this Policy.

Confidentiality

The College will treat all information submitted under this Policy or in connection with a grievance filed under this Policy as confidential to the extent required by applicable laws. Subject to the Family Educational Rights and Privacy Act and any other applicable privacy laws, however, the College official investigating the grievance will inform individuals with a legitimate need to know of the grievance and may provide them related information as necessary to allow the College official investigating the grievance to conduct a meaningful and thorough investigation. The College official investigating the grievance will inform all involved parties of the need to maintain the confidentiality of such information.

Prohibition Against Retaliation

The College prohibits retaliation (including but not limited to threats, intimidation, reprisals and adverse actions) being taken or threatened against a person because he or she has submitted information under this Policy or has filed a grievance or participated in a grievance investigation in good faith. The College official investigating a grievance will advise all involved parties of this strict prohibition against retaliation.

Informal Grievance Procedure

The Informal Grievance Procedure is designed to facilitate a satisfactory resolution of the grievance in an informal manner. The Grievant has the option to forego the Informal Grievance Procedure and move immediately to the Formal Grievance Procedure.

A Grievant initiates the Informal Grievance Procedure by contacting the Non-discrimination Coordinator by e-mail, phone, or in person within thirty (30) calendar days of the date on which the Grievant knew of or should have known of the adverse action, decision, or matter upon which the grievance is based. If the Non-discrimination Coordinator is the subject of the grievance, the Grievant initiates the Informal Grievance Procedure by contacting the Senior Vice President for Finance and Operations (by phone at (864) 379-8812 or in person in Belk Hall), who will assign an administrator in lieu of the Non-discrimination Coordinator. In such a case, references below to the Non-discrimination Coordinator will mean the administrator so assigned.

To initiate the Informal Grievance Procedure, a Grievant is not required to submit the

grievance in writing, but the Non-discrimination Coordinator may ask the Grievant to do so or to submit other evidence, if necessary to facilitate a satisfactory resolution.

The Non-discrimination Coordinator will attempt to facilitate expeditiously a satisfactory resolution. The Non-discrimination Coordinator may meet in person with the Grievant, confer with the individual(s) against whom the grievance is filed, review relevant documents and information, attempt to arrange a meeting between the Grievant and the individual(s) against whom the grievance is filed, or take any other steps the Non-discrimination Coordinator believes will be useful in promoting resolution.

Within twenty one (21) calendar days after the Non-discrimination Coordinator receives the grievance, the Non-discrimination Coordinator will inform the Grievant and, as appropriate, the individual(s) against whom the grievance is filed in writing of the outcome of the Informal Grievance Procedure.

Formal Grievance Procedure

If the Grievant is not satisfied with the resolution reached using the Informal Grievance Procedure, or if the Grievant chooses not to use the Informal Grievance Procedure, the Grievant may initiate the Formal Grievance Procedure by submitting a written grievance to the Non-discrimination Coordinator. If the Non-discrimination Coordinator is the subject of the grievance, the Grievant initiates the Formal Grievance Procedure by contacting the Senior Vice President for Finance and Operations (by phone at (864) 379-8812 or in person in Belk Hall), who will assign an administrator in lieu of the Non-discrimination Coordinator. In such a case, references below to the Non-discrimination Coordinator will mean the administrator so assigned.

A Grievant who chooses to initiate the Formal Grievance Procedure after participating in the Informal Grievance Procedure must do so within fifteen (15) calendar days of receipt of the Non-discrimination Coordinator's written notification of the outcome of the Informal Grievance Procedure. If the Grievant chooses not to use the Informal Grievance Procedure, he or she must initiate the Formal Grievance Procedure within thirty (30) calendar days of the date on which the Grievant knew of or should have known of the adverse action, decision, or matter upon which the grievance is based.

The written grievance must:

- be dated;
- state the problem or action alleged to be harassing or discriminatory and the date of the alleged action;
- state how the action is harassing or discriminatory or how the decision is unreasonable;
- include a summary of the steps, if any, that the Grievant has taken in an attempt to resolve the issue;
- include any supporting documentation;
- name the individual(s) against whom the grievance is filed;
- state the requested remedy and the Grievant's rationale for the requested remedy; and
- be signed by the Grievant and include his or her contact information.

If the Non-discrimination Coordinator has not already done so in connection with the Informal Grievance Procedure, he or she will review and/or investigate the grievance by taking steps such as the following: meeting in person with the Grievant, conferring with the individual(s) against whom the grievance is filed, reviewing relevant documents and information, attempting to arrange a meeting between the Grievant and the individual(s) against whom the grievance is filed, or taking any other steps the Non-discrimination Coordinator believes will be useful in promoting resolution. The Non-discrimination Coordinator will decide which steps are warranted by a particular grievance.

Within five (5) calendar days of receiving the written grievance, the Non-discrimination Coordinator will provide written notification of receipt of the grievance to the Grievant and to the individual(s) against whom the grievance is filed. The Non-discrimination Coordinator will forward the grievance to the College's Committee on Discipline and Appeals (the "CDA"), which will hold a hearing within thirty (30) business days of receipt of the grievance. Once the Non-discrimination Coordinator has completed his or her review or investigation of the grievance, he or she will share a report of such review or investigation with the CDA as well.

The hearing will afford all relevant persons an opportunity to present witnesses and submit evidence regarding the allegations and will follow the following procedures:

- All parties will have the opportunity for oral opening and closing arguments and for the presentation of relevant witnesses and pertinent documentary evidence.
- The CDA may question any witnesses, examine documentary evidence presented, and summon other witnesses as it deems necessary.
- The hearing shall be mechanically recorded. Either the Grievant or individual(s) against whom the grievance is filed may review the recording upon written notice the Non-Discrimination Coordinator. Recordings shall be maintained by the Non-Discrimination Coordinator for three (3) years from the hearing date.
- The Grievant and the individual(s) against whom the grievance is filed may seek the advice of counsel; however, neither party may proceed through counsel or have counsel present at the hearing.
- At the conclusion of the hearing, the CDA shall deliberate in closed session. Such deliberations shall not be recorded. The CDA will determine the outcome of the grievance by majority vote.

Within five (5) business days of the conclusion of the hearing, the Non-discrimination Coordinator will provide the Grievant and the individual(s) against whom the grievance is filed the CDA's written decision regarding the grievance, including any remedies or disciplinary action specified by the CDA (which may include but are in no way limited to expulsion or termination of employment). The decision will include findings of fact, a conclusion regarding violations of this Policy, and, if applicable, an explanation of remedies, which may include the imposition of disciplinary sanctions and/or referral to an individual's supervisor or another administrator for the determination and imposition of disciplinary sanctions.

Appeal

The Grievant and/or the individual(s) against whom the grievance is filed may appeal within fifteen (15) calendar days of receiving the CDA's written decision with the College's Presidential Appeals Committee (the "PAC") by submitting a written appeal to the Non-discrimination Coordinator.

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The written appeal must clearly set forth the grounds for the appeal and must include all supporting evidence. If neither party files an appeal within fifteen (15) calendar days of receiving the CDA's decision, the decision of the CDA will be final and will not be subject to appeal.

Generally, the PAC will limit its review of the CDA's decision to determining whether the CDA considered the proper facts and whether there were any procedural irregularities; the PAC will not substitute its judgment for that of the CDA. The PAC will, by majority vote, reach a decision regarding the outcome of the appeal, including any remedies or disciplinary action (which may include but are in no way limited to expulsion or termination of employment).

Within thirty (30) calendar days of receipt of the appeal, the PAC will provide the Grievant and the individual(s) against whom the grievance is filed a written decision regarding the appeal. The decision of the PAC is final, and the College will disregard any subsequent appeals (in any form) to any College representative, including the College President.

Adjustment of Deadlines

The Non-discrimination Coordinator, the CDA or the PAC may change the above deadlines if they determine that additional time is warranted or for other good cause, such as semester or summer breaks, to provide additional time to consider the facts and evidence, delays in receiving information from witnesses, etc. Likewise, if the application of time deadlines creates a hardship due to the urgency of the matter, the Non-discrimination Coordinator, CDA or the PAC, at the request of the Grievant, will determine if an expedited procedure can be utilized. The Grievant and the individual against whom the grievance is filed will be notified if any deadlines are altered.

Interim Measures

If necessary while any grievance investigation is ongoing, the Non-discrimination Coordinator will impose interim measures to stop discrimination or harassment, prevent its recurrence, and correct any discriminatory effects on the Grievant and others, if appropriate. Such interim measures may include, but are not limited to, limiting interaction between the parties, or, if deemed warranted, placing the individual against whom the grievance is filed on paid leave.

Reconciliation

Nothing in this Policy is intended to prevent the Grievant and the individual against whom the grievance is filed from resolving the grievance at any point in the process by signing a written statement of agreement and submitting it for approval to the Non-discrimination Coordinator. If the Non-discrimination Coordinator approves the agreement, the grievance process will end immediately and the statement of agreement will be placed in the file maintained by the Non-discrimination Coordinator.

Preservation of Records

Once the Non-discrimination Coordinator, the CDA, or the PAC has made the final decision regarding the grievance, the records submitted to the Non-discrimination Coordinator, the

CDA, and/or the PAC related to the grievance will be maintained in the office of the Non-discrimination Coordinator for three years.

Disability Accommodations

The College will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations, to the extent necessary and available, to participate in the steps and procedures outlined in this Policy.

Students must make requests for accommodations to the Office of Student Development (located on the second floor of Watkins Student Center and available by phone at 864-379-8701). The Office of Student Development will review the supporting disability-related documentation, make a decision about the request, notify the individual about approved accommodations, and make arrangements for the accommodations.

In addition, the College is committed to providing reasonable accommodations to disabled applicants for employment and to disabled employees to the extent required by applicable laws, including the Americans with Disabilities Act. If a disabled applicant is in need of a reasonable accommodation to apply for a job, if a disabled employee is in need of a reasonable accommodation to perform the essential functions of his or her job, or if a disabled Grievant is in need of a reasonable accommodation to participate in the processes under this Policy, the individual must contact the Non-discrimination Coordinator to request the accommodation.

External Complaints

The availability and use of this Policy does not prevent a student from filing a complaint of discrimination with external agencies such as the U.S. Department of Education, Office for Civil Rights.

Similarly, nothing in this Policy prevents applicants or employees from filing a complaint or cooperating with external agencies such as the Equal Employment Opportunity Commission.

General Grievance Policy

Applicability of this Policy

Erskine recognizes that in any work environment there are times when employees may choose to express concerns and work-related problems in a formal manner. This Policy establishes the process whereby College employees may present to the College their concerns and other work-related problems and provides for the prompt and considerate review of such issues. Nothing in this policy prevents employees from discussing the terms and conditions of their employment with one another.

This Policy applies to general grievances by employees made to the College alleging that a work-related problem or condition is unfair, inequitable or a hindrance to the effective performance of the employee's job.

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In the case of concerns regarding, allegations of, or grievances relating to potentially unlawful harassment or discrimination, the following policies apply in lieu of (and not in addition to) this General Grievance Policy:

- The College's Sexual Misconduct Policy provides procedures for reporting concerns, sets forth available resources, describes prohibited conduct, and establishes procedures for responding to allegations of and grievances relating to Sexual Misconduct. Sexual Misconduct, as that term is defined in the College's Sexual Misconduct Policy, includes dating violence, domestic violence, sexual assault, sexual exploitation, sexual harassment, sexual intimidation, and stalking. Please see the College's Sexual Misconduct Policy for additional information. The Sexual Misconduct Policy is available at www.erskine.edu and in the College's *Employee Resource Handbook*.
- The College's Non-Harassment and Non-Discrimination Policy provides procedures for reporting concerns, describes prohibited conduct and establishes procedures for responding to allegations of and grievances relating to potentially unlawful harassment or discrimination other than Sexual Misconduct (i.e., harassment or discrimination based on sex, pregnancy, race, color, religion, national origin, age, disability, protected veteran status, or any other basis protected by applicable law). The Non-Harassment and Non-Discrimination Policy is available at www.erskine.edu and in the College's *Employee Resource Handbook*.

From the outset, Erskine expects all employees involved in a complaint or dispute to seek resolution of their differences with each other in a courteous, civil, and professional manner. Employees are encouraged to resolve their differences, whenever possible, without resorting to this formal grievance procedure.

Grievance Steps

Informal Grievance Step

An employee who believes he or she may have a grievance covered by this Policy should first meet with his/her supervisor (as defined in the next paragraph) for an informal discussion of the matter within thirty (30) calendar days of the date the employee knew or should have known of the adverse action, decision, or matter upon which the grievance is based.

For the purpose of the Informal Grievance Step, one's department chair or the Vice President for Academic Affairs will be considered the supervisor for any grievances brought by members of the faculty. One's director-level or vice president will be considered the supervisor for any grievances brought by members of the staff. Both parties will make a good faith effort to resolve the matter informally with the assistance of any supervisor, as appropriate. The supervisor seeking to resolve the grievance may consult with others as appropriate.

If the matter is not resolved by informal discussion, the grievant may pursue the matter through the Formal Grievance Steps below.

Formal Grievance Steps

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If the grievant is not satisfied with the result of the Informal Grievance step, he or she may file a formal grievance. The formal grievance may be a simple written statement, but it should include the following minimum information:

- a. A full description of the problem and any relevant facts, including but not limited to the specific acts considered to be of issue, including when, by whom, and what was specifically done or not done, and its impact or consequence to the complainant;
- b. A summary of the steps, if any, the grievant has already taken in attempt to resolve the problem, including the names of the persons involved;
- c. A statement of the requested resolution and the grievant's rationale for the requested resolution for each perceived matter;
- d. Any supporting documentation; and
- e. The name, contact information, and signature of the person initiating the grievance.

The written grievance should be filed with the appropriate Grievance Officer, who is the Non-Discrimination Coordinator at Erskine, within fifteen (15) calendar days of the conclusion of attempts to resolve the matter through the Informal Grievance process.

Once the complaint has been properly filed, the Grievance Officer should conduct a thorough review of the allegations and collect information necessary to determine the merits of the grievance. This review can include, but is not limited to, convening a meeting during which the grievant, the individual(s) against whom the grievance has been brought ("respondent(s)"), and witnesses can supply factual information about what occurred; interviewing those involved and any witnesses to determine the issues and facts that have occurred and to resolve any factual dispute, including those hinging on credibility; and/or obtaining, consulting with others as appropriate, and reviewing any records, documents, emails, etc. relevant to the issues presented. The Grievance Officer will decide which steps are warranted by a particular grievance. Not all grievances will warrant a meeting, and those that do, may be limited in scope by, and in the Grievance Officer's discretion.

When a meeting of those involved is convened, persons present at the hearing will typically include the grievant and the individual who made the decision or took the action upon which the grievance is based, and any other person against whom the grievance complaint is directed. Witnesses may be called as appropriate, and all employees are expected to cooperate fully in providing or producing information. Only the Grievance Officer will question witnesses but any party to the grievance may suggest areas of inquiry to be explored. Because this is an internal employment matter, no legal counsel is permitted at grievance meetings.

Once the matter has been fully examined, the Grievance Officer will determine whether it is more likely than not that the actions complained of occurred and will then develop a documented report of findings and submit a written recommendation to the parties involved. The Grievance Officer's review and preparation of the report and recommendation normally should take no longer than thirty (30) calendar days unless the institution is closed or not in session, or absent reasonable excuse. When the Grievance Officer recommends that remedial or disciplinary action should be taken against anyone involved, the specific recommendations will be provided to the individual against whom the recommendation is made and that person's supervisor(s). The supervisor(s), in consultation with the Human

Resources Department, will make the final decision regarding recommended discipline and are responsible for issuing any disciplinary action.

Appeals Process

If either the grievant or the individual(s) against whom the allegations were made is dissatisfied with the recommended resolution of the grievance, he or she has fifteen (15) calendar days from receipt of the Grievance Officer's findings and recommendations to appeal to the College Committee on Discipline and Appeals (CDA). Any appeal should be in writing and should specifically describe the point(s) on which the appeal is based. The Grievance Officer will forward the appeal and the file including facts, evidence, and results of the investigation to CDA which shall convene to hear the appeal.

Committee Action

When the Grievance Officer receives an appeal of his/her decision, the Grievance Officer shall schedule a hearing before the CDA and the CDA shall conduct a hearing on the complaint within thirty (30) calendar days, unless the Grievance Officer determines that more time is needed in order to further investigate the complaint or for other reasons. If the Grievance Officer determines that it is necessary to delay the hearing, the complainant and the respondent will be notified.

Hearings of the CDA

Hearings before the CDA will be conducted in accordance with the following procedures.

1. All parties shall be afforded reasonable opportunity for oral opening and closing arguments and for presentation of relevant witnesses and pertinent documentary evidence.
2. The CDA shall have the right to question any and all witnesses, to examine documentary evidence presented, and to summon other witnesses as the Committee deems necessary.
3. The hearing shall be mechanically recorded. Any party involved may obtain a copy of the recording from the Grievance Officer at the expense of the requesting party. Recordings shall be maintained by the Grievance Officer for a period of three (3) years from the hearing date.
4. All parties shall have the right to the advice of counsel of his/her choice; however, neither party may proceed through counsel or have counsel present at the hearing.
5. At the conclusion of the hearing, the Committee shall deliberate in closed session. Such deliberations shall not be recorded.

Decision of the CDA

After the hearing is concluded, the CDA shall convene to deliberate their findings and arrive at a majority decision as to any wrongdoing, including any policy violations and/or remedies, including disciplinary actions, and/or any other form of resolution. Within five (5) business days after the hearing is concluded, the CDA shall transmit a written copy of the decision to

the Grievance Officer who will mail a copy of the decision to the complainant and respondent in the United States mail at the addresses provided by the complainant and the respondent.

Appeal of Decision of the CDA

Either the grievant or respondent may appeal the decision of the CDA, by giving written notice to the Grievance Officer of intent to appeal the decision within fifteen (15) calendar days of the decision. If no such notification is received by the Grievance Officer within fifteen (15) calendar days, any decision for corrective actions or sanctions by the CDA shall be final.

Presidential Appeals Committee

The Presidential Appeals Committee shall review all appeals from decisions of the CDA within thirty (30) calendar days from the date of the appeal. If either party has requested an interview or is requested to appear for an interview by the Presidential Appeals Committee, then both parties must be informed. The intent of the Presidential Appeals Committee's review is neither to hear new evidence nor to substitute the judgment of the Presidential Appeals Committee for that of the CDA. The intent of this review is to insure that the hearing and decisions were not arbitrary, capricious or discriminatory, did not violate the rights of the parties, and did not violate the concepts of fairness to both parties.

The Presidential Appeals Committee's review is the final institutional step for grievances under this Policy. Nothing precludes the student or employee from filing a complaint with any external agency that handles discrimination complaints.

Retaliation

No person shall be subjected to retaliation for having utilized or having assisted others in the utilization of, or having participated in any way in, the complaint or hearing process in good faith.

Reconciliation

Nothing in the procedure is intended to prevent the grievant and respondent from resolving the grievance at any point in the process by signing a written statement of agreement and submitting it for approval to the Grievance Officer. If the agreement is approved, the grievance process will end immediately and the statement of resolution will be placed in the file maintained by the Grievance Officer.

Remedies/Disciplinary Action

Erskine shall determine appropriate remedies on a case-by-case basis. Such remedies may include termination of employment or expulsion from Erskine, as well as any other remedy or disciplinary action.

Workplace Threats, Violence, and Weapons

Erskine is committed to the safety and security of all persons. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand the provisions of the workplace threats, violence, and weapons policies detailed below.

Erskine will not tolerate any types of threats, threatening behavior, or acts of violence committed by or against any individual on Erskine property or at any Erskine sponsored event.

No individuals shall possess on Erskine property any firearms or dangerous weapons with the exception of police officers, transfer agents licensed to carry weapons, and persons using such weapons for class instruction or activity except when authorized by the Dean or Vice President of the appropriate area.

Violation of this policy will lead to disciplinary action up to possible discharge and may result in arrest and prosecution for any criminal acts.

Employees are prohibited from making threats or engaging in threatening or violent activities. This list of behaviors, while not all inclusive, provides examples of conduct that is prohibited.

- Causing injury to another person;
- Making threats of any kind;
- Aggressive, hostile, or violent behavior, such as intimidation of others, attempts to instill fear in others, or subjecting others to emotional distress;
- Intentionally damaging company property or the property of another employee, student, or member of the public;
- Possession of a weapon while on Erskine property, Erskine business, or at an Erskine sponsored event (except as noted above); and/or
- Committing an act motivated by, or related to, sexual harassment or domestic violence.

Individuals are responsible for notifying Erskine Police Department or Human Resources of any threats they have witnessed and/or received or any threatening or violent behavior. If Erskine Police Department or Human Resources is unavailable immediately, contact the Due West Police Department at (864) 379-2150.

Inclement Weather Policy

Erskine's scheduled operations are rarely interrupted due to inclement weather because it has a predominantly residential student population. Even in inclement weather conditions, faculty and staff employees and students should assume that operations will continue on a "business as usual" basis unless they receive notice specifically announced for Erskine College (undergraduate program) and/or Erskine Theological Seminary. This policy governs declarations of weather-related schedule changes as well as employee timekeeping during episodes of inclement weather when the institution continues regular operations and in the rare circumstance when it does not.

Above all, Erskine seeks to help ensure the safety of all during periods of inclement weather, and accordingly, faculty, staff, and students are strongly encouraged to use caution and good discretion when traveling to and from the campus and while on the campus so as to reduce the risk of injury to themselves and to others.

When the College and Seminary Maintain Normal Operations

Faculty Employees and Students

Faculty employees are expected to teach and students expected to attend their classes as scheduled. Should a faculty member need to cancel a class due to inclement weather, the faculty member must promptly notify affected students through the portal.

Staff Employees

Staff employees who come in late, leave early, or are absent because of weather conditions may either make up the lost time during the same workweek or, if that is not possible, charge the time lost against an eight hour per year inclement weather time allowance, or if exhausted, then vacation leave. Employees who are unable to come to work or want to leave early because of severe weather conditions should notify their supervisors as early as possible.

When the College and/or Seminary Curtail(s) Normal Operations

A decision to curtail operations may only be made by the President or his designee; it is not to be made on an ad hoc, department-by-department basis. Employees will be notified of curtailed operations as early as possible by means of available media (see below). ***Curtailed operations*** means that all non-essential functions should operate with limited staff or close entirely. Curtailed operations may involve delayed opening, early closure, or cancellation of all but essential services.

Faculty, staff, and students in the college and seminary should consult the following news sources to determine the status of offices and classes during inclement weather conditions:

1. The dedicated Erskine telephone information hotlines for up-to-date recorded messages regarding the status of the college and seminary, respectively.

(864) 379-6651 (college faculty, staff, and students)

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(864) 379-6652 (seminary faculty, staff, and students)

2. The Erskine website (www.erskine.edu).
3. Local news stations—WYFF Channel 4, WHNS Fox Carolina, and WSPA Channel 7. No announcement means that offices and classes are on regular schedule. The timing of posts to the news stations cannot be predicted. Faculty, staff, and students are encouraged to call the dedicated numbers above and to check the Erskine website first.
4. An announcement through CODERED

Conflict of Interest

All employees have an obligation to see that Erskine's operations are always conducted in conformity with the highest ethical business and Christian standards. Consequently, each employee is strongly discouraged from allowing himself/ herself to be placed in a situation (directly or indirectly) in which he/ she might be influenced to favor himself/ herself at the expense of Erskine.

With this spirit, all employees are requested to sign a ***Conflict of Interest Statement Form*** upon hire. It is the responsibility of each employee to make prompt and full disclosure to Human Resources of any actual or potential conflict of interest as such situations occur.

All disclosed information is treated on a confidential basis, to the extent possible and permitted by law.

Such required disclosures include, but are not limited to:

- 1) An employee who is employed in or who has at least 10% ownership or other financial interest in a company that does business with Erskine.
- 2) An employee who has a relative who is employed or does business with Erskine.
- 3) Employees shall not use their position with Erskine for personal interest or gain or knowledge gained through such position in such a way that a potential for conflict arises between Erskine's interest and the employee's personal interest. Any person who has a personal interest in a proposed contract may not be present for discussion regarding the contract nor the vote to approve such contract.
- 4) Employees shall not accept gifts which give the appearance of influence for decisions or actions concerning Erskine.
- 5) Outside employment which competes with Erskine or which interferes with the employee's ability to perform his/her job is not permitted. Employees are required to disclose outside employment.

Employees are asked to complete an initial ***Conflict of Interest Disclosure Form*** during new hire orientation and then on a biennial basis. Vice Presidents and corporate officers must complete the form annually. They should also report updates to their current information as potential conflicts arise. All reported conflicts are reviewed periodically by the President and/or Board of Trustees. The Human Resource Director is responsible for employee documentation. The President's Office is responsible for Trustee and Board Member documentation.

Office Hours

For Staff and Administrative employees, it is expected that all work be regularly performed on the campus in which one is assigned, rather than at the employee's home.

.The normal daily office schedule is 8:00 A.M. to 4:30 P.M. Monday through Friday with a one-hour lunch period for staff and administrative employees. The normal workday for administrative offices is 7.5 hours, and the normal work week is 37.5 hours. Non-exempt employees do not become eligible for overtime until they work more than 40 hours in any

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given workweek. For salaried non-exempt employees, (1) the regular rate of pay for overtime purposes is the weekly salary divided by 40 hours, and (2) there will be no additional compensation for hours worked between 37.5 and 40 in any given workweek. The work week begins on Saturday and ends on Friday. Hourly employees will continue to be paid on the basis of actual hours worked. Lunch hours should be staggered in administrative offices when possible to accommodate business needs and operations.

The work schedule for the Campus Police and certain other employees is established in accordance with the requirements of the related job.

Attire

It is not the intention of Erskine to dictate the personal dress habits of its employees; however, Erskine seeks to promote a professional environment to students, employees, visitors, and the community. Employees are expected to dress in an appropriate and professional manner at all times.

Outside Employment

To ensure the best and most efficient work from employees, Erskine discourages employees from accepting regular employment elsewhere in addition to their regular full-time work. An employee who desires to accept other employment must have the approval of his/her Vice President.

Employee Mail Boxes

Employee mailboxes are located in the Mailroom in Belk Hall for each employee's convenience. Office mail should be delivered to the mailroom by 3:30 P.M. for forwarding to the US Post Office. Metered bulk mailings must be completed during the morning hours. Postage is strictly reserved for Erskine business. To gain access to the mailroom, a key fob is required. An employee may obtain a key fob from the Student Development Office.

Keys

Keys are issued to employees by the Facilities Management Office upon the approval of one's immediate supervisor. Keys must be returned to an employee's supervisor upon termination of employment or transfer to another job.

Special care should be exercised not to lend keys (even for brief periods) to students or persons not connected with the institution. Employees are strictly prohibited from making copies of campus keys. Keys to campus facilities or campus property remain the property of the institution and must be returned immediately upon employment termination or upon the institution's demand. Failure to return keys may result in the loss of any accrued benefit (i.e. pay for accrued vacation time not taken).

Erskine Equipment and Property

Each employee will be entrusted with the use of certain equipment as part of his/her job and will be expected to treat that equipment properly at all times. If equipment needs repair, servicing, or cleaning, the condition should be reported to the employee's supervisor. An employee may be required to pay for damage to equipment that is caused by carelessness. Requests for routine repairs and maintenance should be reported to the Facilities Management Office via the *WebTMA Service Request* system located under the Facilities Section of the Erskine website at www.erskine.edu.

The lending or using of Erskine owned property/equipment on- or off-campus for personal use is strongly discouraged and requires the prior approval of the appropriate Vice President.

All Erskine owned equipment and/or property must be returned at termination of employment or the replacement value may be deducted from one's final paycheck.

Employee Use of Erskine Facilities/Property for Personal Benefit

From time-to-time, employees may request to use Erskine facilities or property for personal benefit, including providing private lessons for compensation inuring to themselves directly. Regardless of one's position at the institution, the use of Erskine facilities and/or property for personal benefit is a **PRIVILEGE--NOT A RIGHT**. If an employee wishes to use Erskine facilities or property for personal benefit, he or she must make a formal request in writing, **in advance of use**, to either the President or the Senior Vice President for Finance and Operations. Provided that approval is granted in writing, the employee **MUST** secure release and hold harmless agreements from all participants, as applicable, **in advance of use**, using **ONLY** the approved form which is available in the Business Office.

An employee's failure to observe this policy in its entirety is subject to disciplinary action up to and including termination. Erskine may further seek restitution for any damage to facilities and/or property, less normal wear and tear, and/or an employee's failure to return Erskine property to the institution in the same condition prior to use, less normal wear and tear. Employees are encouraged to contact either the President or the Senior Vice President for Finance and Operations with questions.

Visitors

Visitors, including family members of students, are welcome at Erskine. Due to the nature of Erskine's business, please make all people feel welcome and provide directional assistance when needed. With this being said, all employees are responsible for the safety of the campus as well. Employees should be alert at all times and report any suspicious activity or individuals to Erskine Police Department or Human Resources.

Parking

Erskine provides regular and disabled parking areas for use by employees, students, and visitors. Employees are required to obtain a parking decal upon hire. Please do not park in

non-designated parking areas. Parking questions or concerns should be directed to Erskine Police Department.

Telephone Use

Office telephones should be used for business purposes. Any calls made for personal business should be kept to a minimum. Call logs are issued to each employee for call verification each month. Long distance phone calls made for personal reasons must be indicated as “personal” on each month’s bill, and reimbursement is expected to be made promptly to the Business Office. Bills are audited periodically to help ensure policy compliance.

Solicitation

In general, Erskine does not permit soliciting, peddling, or the canvassing of employees by unauthorized individuals, and no campus facility may be used for this purpose. Any solicitation should be reported to Human Resources immediately.

Erskine does make an exception to the above policy on a case-by-case basis to eleemosynary organizations; however, such organizations are required to register with Human Resources in advance.

Tobacco Free Environment

Erskine is dedicated to providing a healthy, safe, and conducive environment for working and learning. To achieve this goal, Erskine has designated only outside areas as permissible areas for smoking and tobacco use. These designated areas have receptacles available to guard against fire and to maintain good housekeeping. Due to safety, smoking and tobacco use are not permitted in any building, residence hall, or guest room. Smoking and tobacco use are limited to lunch and break times. This includes but is not limited to cigarettes, tobacco, and devices such as e-cigarettes, pipes, and vaporizers.

Pet Free Environment

Pets are not allowed in any buildings at Erskine. The one exception to this policy is service animals for individuals needing such assistance. This policy is in place to protect others who may have an allergic reaction to pets and also for good housekeeping.

Confidentiality and Privacy Matters

Erskine maintains certain confidential and privileged business-related information including, but not limited to, information related to courses, students, parents, employees, and donors contained in Erskine’s computer systems and paper records. During employment, an employee may be exposed or have access to such information, including word processing documents, spreadsheets, databases, or electronic mail and/or files. Much of this information

is covered by state and federal privacy laws or is considered confidential or proprietary business data.

Any such privileged and confidential information, whether verbal or written, is not allowed to be released, distributed, transmitted, or photocopied to any unauthorized individual, company, or organization without specific and written authorization by the President. It is also a requirement that any such items, copies, or records that an employee may have in his/her possession be returned to Erskine upon termination of employment.

Failure to maintain the confidentiality of confidential information or to return items rightfully owned by Erskine could constitute a violation of the South Carolina Trade Secrets Act (S.C. Code Ann. Sections 39-8-10 et seq.) and may result in disciplinary action up to and including termination from employment. Nothing herein prevents or punishes employees from engaging in legally protected activity.

Students' Right to Privacy

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education record(s). The institution may disclose education records without a student's consent under the FERPA exception for disclosure to institution officials with legitimate educational interests. An institution official is a person employed by Erskine in an administrative, supervisory, academic or research, or support staff position (including law enforcement personnel and health staff); a person or company with whom the institution has contracted as its agent to provide a service instead of using institution employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; a student serving on an official committee, such as disciplinary or grievance committee; and/or someone assisting another institution official in performing his/her tasks.

An institution official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibilities for the institution.

Upon request, the institution also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. The institution has designated the following information concerning a student as "Directory Information" and the institution will normally release that information without the student's consent: The student's name, address, telephone number, e-mail address, date and place of birth, major field of study, dates of attendance, degrees and awards received, the most recent previous educational institution attended by the student, photographs, enrollment status, academic level, participation in officially recognized activities and sports, and weight and height of members of athletic teams. However, a student has a right to refuse to permit the disclosure of any item of Directory Information. To exercise that right, a student must notify the Registrar in writing that the student does not want any or all of the Directory Information disclosed within the first five days of each term.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office

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U.S. Department of Education

400 Maryland Avenue, SW
Washington, DC 20202-5901

Protection and Disposal of Individually Identifiable Information and Sensitive Documents

While it is permissible to collect information such as the Social Security Number of students and employees for official institutional records, the institution prohibits its offices, employees, and students from using the Social Security Numbers or other sensitive numbers to serve as the student number for computing systems or for primary identification purposes, such as on the ID card.

It is expected that all employees who may at any point use a Social Security Number to safeguard it. Any printed materials containing such information, should be stored in a locked drawer, cabinet, closet or safe when it is not in use. The intentional or negligent loss of or distribution of individually identifiable information may subject the employee to possible discipline, up to and including termination.

The institution contracts with a bonded regional service to dispose of printed materials placed in locked bins. The bins are located in the mail room of the college and seminary. The bins are periodically removed by the service and the contents are shredded.

Employment Verification and Release of Information

Erskine will verify limited information regarding its present and former employees to prospective employers, credit bureaus, financial institutions, or other providers verbally regarding date of hire, date of termination, and position held. All requests to release other information must be in writing and must be directed to Human Resources.

Upon request, Erskine may distribute an employee's name, home address, and phone number to other departments for the purpose of internal use and events. Employees who receive this information are reminded of its confidential nature, and employees are not allowed to release this information to anyone other than for internal use.

Personnel Records

An employee's record begins with an employment application and/or a resume which is kept in a confidential file. An employee should notify Human Resources immediately whenever there is a change in:

1. Name, through marriage or otherwise
2. Address
3. Telephone number
4. Person to notify in case of accident or illness
5. Marital status
6. Number of dependents
7. Beneficiary

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8. Number of Income Tax Exemptions

Jury Duty and Court Required Service

Erskine encourages all employees to fulfill their civic obligations when called to do so.

Employees selected for jury duty or subpoenaed to serve as court witnesses are granted time off without loss of pay limited to 30 consecutive calendar days. Consideration may be given if service extends longer than 30 consecutive calendar days. If any employee receives notification to report for jury duty, he or she must immediately notify his/her supervisor of the dates he or she is scheduled to report and the anticipated length of time for which the employee is called for jury duty. An employee should furnish a copy of the summons to his/her supervisor which will then be forwarded to the Business Office. Employees should note Jury Duty on their timesheet as such.

Employees are expected to report to work when doing so does not conflict with court obligations. Employees may be required to present satisfactory evidence to their supervisor and the Human Resources Office.

Public Office Candidacy

Employees seeking public office of any kind must wholly separate their campaign activities from their employment at Erskine. Employees must not conduct any activity in direct or indirect furtherance of their candidacy during working hours. Further, employees may not use any Erskine resource of any kind to carry out any campaign activity. This includes, but is not limited to, the expenditure of Erskine funds, staff time, the use of machines, office space, or any other facility on campus, including all libraries, cafeterias, meeting rooms, recreational facilities, etc.

Institutional Advancement

Institutional Advancement involves all activities and programs undertaken by Erskine to develop understanding and support from its constituencies in order to achieve its goals and to secure the resources needed to fulfill its mission. All development efforts are to be coordinated through the Advancement Office including those of the various departments and athletics in order to maximize the use of volunteers, alumni, and donors.

Gift Solicitation

In order to maximize the use of resources in soliciting external funding and to coordinate direct appeals to specific donors or groups of donors, it is necessary that all fund-raising efforts including direct appeals to individuals or businesses and grant applications be channeled through one central office. When planning external funding activities, a written statement of purpose, target group, method of fund raising, and expected beginning and ending dates should be submitted to appropriate divisional Vice President who will inform the Advancement Office of intended fund raising action. When appropriate, the Advancement Office will provide

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needed assistance such as grant applications and research information, donor profiles, and prospect identification. Dates of proposals or grants should be submitted to the Advancement Office with full information covering gift stipulations. Grant solicitation efforts by all faculty and staff members are encouraged. However, solicitation efforts need to be coordinated with the overall resource development program of Erskine. When a solicitation effort is in conflict with overall institutional efforts, the Vice President for Advancement will recommend to the appropriate Vice President that the fund-raising effort be rescheduled or canceled. Ad hoc fundraising activities to overcome inadequate budget funds may be a detriment to the overall resource development efforts of Erskine.

Gift Policy

Erskine discourages employees from accepting gifts from individuals or firms doing business with Erskine. Employees may not solicit, accept, or agree to accept, anything of value under circumstances that could reasonably be expected to influence the manner in which an employee performs work or makes decisions.

Processing a Gift

All gifts should be forwarded to the Advancement Office for appropriate record keeping and to insure proper credit is given for any possible tax benefits that may be gained by the donor.

Computers, Internet, Electronic and Voice Mail

Erskine's communications systems, including computers, software, electronic mail (e-mail) copiers, fax machines, telephones, voice mail, communication tools, cell phones, and various online services are the property of Erskine and are intended to support Erskine's information, educational, and operational needs. Limited personal use of these systems by employees is currently permitted; however, such use should not interfere with Erskine's primary needs for the equipment or the employee's performance of his/her job. **Illegal use, personal use that interferes with business use, personal use for profit, and/or use that brings disrepute or runs contrary to the mission and goals of Erskine are not permitted.** Copying of copyrighted or private software is forbidden without explicit permission of the Director of Information and Technology. This includes making a personal copy of software licensed by Erskine.

Business-related information including, but not limited to, information related to courses, students, parents, employees, and donors contained in Erskine's communication systems, including electronic mail, is considered confidential. Consequently, information contained within the systems should be disclosed only to authorized individuals. The unauthorized disclosure of confidential information may lead to discipline up to and including termination.

All communications and information transmitted by, received from, or stored in the communications systems are the records and property of Erskine. Although Erskine does not routinely monitor employee usage of its systems, there may be cases when Erskine, in its sole discretion, may elect to do so. By way of example, such cases might include, but are not limited to, an investigation of harassment, violation of Erskine policy, or suspicion that a virus or illegal software is installed on an Erskine-owned system.

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Therefore, Erskine reserves the right to monitor its communications systems. Erskine may inspect the computer files on any Erskine-owned computer (including office computers) at any time, with or without notice, at its sole discretion. Although Erskine does not routinely monitor or inspect files, employees do not have a personal privacy right in any matter created, received, or sent through Erskine's communications systems. The responsibility and authority to inspect computer files, devices, electronic mail, and voice mail is vested in the President or his/her designee.

Employees whose duties allow them administrative access to Erskine's computer and voice mail systems are expected to use that access only as necessary to maintain the systems in good working order, to perform the functions of their jobs, and to implement the policies of Erskine. Each electronic mail account is to be used only by the individual to whom it has been assigned.

In summary, although Erskine does not routinely monitor or inspect files, employees do not have a personal privacy right in any matter created, received, or sent through Erskine's communications systems. Employees should have no expectation of privacy regarding files and data residing on Erskine's computer systems, networks, servers, disks, or voice mail.

Some employees may wish to attach their personally-owned computers to Erskine's network. Privately-owned computers connected to the network are subject to the same policies as Erskine-owned equipment.

E-mails sent from Erskine accounts, however generated, bear the "Erskine.edu" designation in the electronic envelope and must adhere to Erskine's "acceptable use" policies. Employees should always be careful in electronic messages sent from an Erskine account to avoid the appearance of speaking on behalf of Erskine when not authorized to do so.

Employees must not abuse the privilege of access to the Internet. Erskine's systems may not be used to violate the law or download or distribute pirated media, software, or threatening, illegal, obscene, or pornographic material. Electronic mail cannot contain obscene or threatening language. Commercial solicitation, selling, or advertising for purposes not related to Erskine are not allowed via electronic mail or Erskine provided internet access.

Employees are to exercise care when downloading or installing software on Erskine-owned systems. Consult the Director of Information Technology for guidance.

Improper usage of Erskine's communications systems may lead to discipline up to and including termination.

Employees who leave Erskine, whether through retirement or resignation, should inquire to the Human Resources Office as to whether or not they are allowed to retain equipment or continued use of email accounts.

Erskine employees who have had a previous email account as a student of the college or seminary will be required to obtain a new email account upon hire.

Copyright Policy

Reproduction of materials at the institution falls under the requirements of the federal "Copyright Act of 1976." The institution has no legal or other responsibilities for employees or students who violate the requirements of this Act. The institution does not condone improper or unauthorized reproduction of any copyrighted printed material, or of audio and or video material.

Fraud

Employees of Erskine must not engage in any illegal activity and must not, in the performance of their duties, commit any act of fraud, whether or not adverse to the interest of the institution. Any act of fraud ascertained upon internal investigation, or pursuant to a criminal conviction, or through written acknowledgement by the employee concerned, shall result in disciplinary action up to and including termination of employment.

For the purposes of this policy, fraud shall include, but not be limited to:

- a. Theft or misappropriation of Erskine assets.
- b. Submitting false claims for payment or reimbursement.
- c. Accepting or offering a bribe, or accepting gifts or other favors under circumstances that might lead to the inference that the gift or favor was intended to influence an employee's decision-making while serving Erskine.
- d. Accepting a commission from, or paying the same to a third party (kickbacks).
- e. Blackmail or extortion.
- f. Off book accounting, or making false or fictitious entries.
- g. Knowingly creating and/or distributing false or misleading financial reports.
- h. Payment of excessive prices or fees where justification, thereof, is not documented.
- i. Violation of Erskine procedures with the aim of personal gain or to the detriment of the institution.
- j. Willful negligence intended to cause damage to the material interest of Erskine.
- k. A dishonorable, or irresponsible, or deliberate act against the interest of Erskine.

Erskine reserves the right to press charges against employees and/or to report any criminal action to the appropriate authorities. In any event, Erskine reserves the right to sue employees before civil law in order to force restitution of any loss that the institution may have suffered. The personnel file of employees disciplined under the circumstances hereinabove

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stated will record the reasons for the disciplinary action. Employees discharged under this policy shall not be re-employed by Erskine.

Managers at all levels are responsible for exercising due diligence and control to prevent, detect, and report acts of fraud by personnel under their supervision. Those who fail to carry out their responsibilities as hereinabove stated will be subject to disciplinary action up to and including termination of employment.

Employees may file a complaint with the Finance Committee of the Board of Trustees. Information will be delivered to the individual currently in the position at the time. Sealed envelopes will be delivered intact.

Chair of the Finance Committee

**P.O. Box 338
Due West, SC 29639**

Secretary of the Board of Trustees

**P.O. Box 338
Due West, SC 29639**

Employees who knowingly file a false claim are subject to disciplinary action up to and including termination.

Anti-Retaliation

Erskine has a responsibility for the stewardship of institution resources and the private support that enables it to pursue its mission. Erskine is committed to compliance with the laws and regulations to which it is subject and to promulgating its policies and procedures to interpret and apply these laws and regulations in the Erskine setting.

Erskine's internal controls and operating procedures are intended to detect and to prevent or deter improper activities including fraud. However, even the best systems of control cannot provide absolute safeguards against irregularities. Intentional and unintentional violations of laws, regulations, policies and procedures may occur and may constitute improper activities. Erskine has a responsibility to investigate and report to appropriate parties allegations of suspected improper activities (including fraud) and to report the actions it has taken to correct such matters.

The Finance Committee of the Board of Trustees shall address all reported concerns or complaints regarding Erskine's accounting practices, finances, internal controls, or auditing other reported concerns.

It is the responsibility of all Erskine employees, students, parents, alumni, and other individuals to report violations or suspected violations in accordance with this "anti-retaliation

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policy.” No individual, who in good faith reports a violation or suspected violation shall suffer harassment, retaliation, or adverse employment or academic or educational consequence. The intentional false reporting of a violation or suspected violation, if substantiated, will subject the one who falsely reports such matter to disciplinary action, up to and including termination.

Individuals wishing to report violations or suspected violations may do so by sending a sealed envelope addressed to the Chair of the Finance Committee or to the Secretary of the Board, Erskine Board of Trustees. Sealed envelopes will be delivered intact to the Chair of the Finance Committee for evaluation. Information will be delivered to the individual currently in the position at the time. Sealed envelopes will be delivered intact.

Chair of the Finance Committee

**P.O. Box 338
Due West, SC 29639**

Secretary of the Board of Trustees

**P.O. Box 338
Due West, SC 29639**

Anonymous reports will be handled in the same manner as signed reports; however, no response will be sent. A file will be maintained by the President’s Office for the purpose of documenting resolution to reported violations or suspected violations.

Intellectual Property Rights Policy

Erskine is committed to providing an environment that supports the teaching, learning, scholarship, and creative activity of college and seminary faculty, staff, and students. The Intellectual Property Rights Policy is intended to:

- encourage excellence and innovation in teaching, scholarship, and creative activities by identifying and protecting the intellectual property rights of the institution and its faculties, staff, and students;
- encourage the notion that creative and scholarly works produced at Erskine should advance knowledge and contribute to the public good;
- acknowledge and preserve the traditional property rights of scholars with respect to products of their intellectual endeavors (e.g., books, monographs, articles, manuscripts, creative writings, musical scores, works of art); and
- guide policy and process for commercial uses of intellectual property other than the traditional products of scholarly work.

The following policy covers all types of intellectual property, including, in particular, works protected by copyright, patent, and trade-secret laws.

Policy

Erskine owns the rights to all works, inventions, developments, and discoveries (hereafter referred to as “work” or “works”) created by employees (including students working in conjunction with full-time employees), within the scope of their employment; or whose creation involves the substantial use of college or seminary equipment, services, or resources. Such works include any patentable invention, computer-related software, databases, Web-based learning, and related materials; but do not include such traditional scholarly works as books, monographs, articles, manuscripts, creative writings, musical scores, and works of art (hereafter, “scholarly works”).

The “work-for-hire” rule in the federal Copyright Act gives the institution ownership of the copyright to copyrightable works produced by any employee within the scope of his or her employment (see Explanation of Terms below.) However, in the case of scholarly works, Erskine cedes copyright ownership to the author/creator(s). It is not the intent of this policy to change the relationship that has existed through the years between Erskine and author/creator(s) in relation to copyright ownership of scholarly works.

The use of college or seminary equipment, services, or resources is “substantial” when it entails a kind or level of use not ordinarily available to all, or virtually all, faculty, staff, and/or students (see Explanation of Terms below.) Where question arises as to whether a particular work involves “substantial use” or falls within the “scope of employment,” the matter shall be referred to an ad-hoc committee appointed by the Senior Vice President of Academic Affairs, the respective Administrative Deans of the college and seminary, and the respective faculty Chair, in consultation with the author/creator(s).

When employee-created intellectual property results from third-party grants, contracts, or awards made to the institution, the intellectual property is owned by Erskine unless written agreement involving the institution, the employee, and the sponsor establishes an alternative ownership arrangement. No such agreement shall be entered into without the review and approval of the respective academic dean.

If an employee creates intellectual property, other than a scholarly work, which may lead to commercial development, he or she is expected to notify immediately his/her department chair or director and the respective academic dean in order to provide them with sufficient information to permit the college or seminary to evaluate the work, both its ownership and its commercial potential, and, if appropriate, to take steps to protect the institution’s intellectual property rights. If ownership rests with Erskine but the institution elects not to exercise its ownership rights, then ownership rights and responsibilities related to patenting, copyrighting, and licensing shall revert to the author/creator(s). In such a case, Erskine retains a nonexclusive, royalty-free right to use the work for non-commercial purposes.

In the case of employee-owned intellectual property, the author/creator(s) may petition Erskine to accept assignment of ownership rights and the attendant control of and responsibility for development. The institution, however, is under no obligation to accept this assignment and would do so only when independent evaluation indicates that accepting the assignment would further the mission and work of the college or seminary.

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Revenue Sharing

Erskine endorses the legitimate expectation of employee author/creators to share in any net revenues produced by licensing or other development of intellectual property. Accordingly, for any work in which the institution asserts ownership interest under this policy, Erskine and the author/creator(s) will share any annual net revenue (revenues less recovery of all legal and other costs involved in protecting the intellectual property rights of the work, licensing costs, and other directly related administrative costs) in the following percentages, unless different contractual agreements have been reached in relation to particular works:

Net revenue	Author / creator(s)	Erskine College
≤ \$5,000	100%	0%
\$5,001-\$25,000	75%	25%
\$25,001-\$99,000	60%	40%
≥ \$100,000	50%	50%

If a work involves more than one employee as author/creator, the author/creators will divide their share equally unless they provide Erskine with an alternative revenue distribution agreed upon by all author/creators. Use of net revenues received by the institution under this policy shall be restricted to the support of scholarly, research, or creative activity on the part of faculty, staff, and/or students.

Recognizing that this area is complex and rapidly evolving, Erskine remains open to the possibility of arriving at special agreements as the need may arise in relation to particular projects. This policy shall be reviewed within three years by the President's cabinet and revised as necessary.

Explanation of Terms

Who owns intellectual property?

When does Erskine own employee- or student-created intellectual property? Any one of these circumstances will result in College ownership:

- if intellectual property is created on college or seminary time (including sabbatical leave time), with substantial use of Erskine equipment, services, or resources; or

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- if intellectual property is commissioned by Erskine pursuant to a signed contract; or
- if it fits within any specific category considered works for hire under copyright law.

If intellectual property results from research supported by federal funds or third-party sponsorship with no written agreement involving Erskine, the researcher and the sponsor have established an alternative ownership arrangement.

When does an individual own intellectual property?

- if it is unrelated to the employee's or student's job responsibilities and has not made substantial use of college or seminary equipment, services, or resources; or
- if it is a work that has been released to the author/creator(s) in accordance with this policy; or
- if the intellectual property is embodied in such traditional scholarly works as books, monographs, articles, manuscripts, creative writings, musical scores, and works of art even though such a work may be within the scope of employment and even if significant Erskine resources were used, **unless** the work is:
 - created by someone who was specifically hired or required to create it or
 - commissioned by Erskine

In either of these cases, Erskine, not the creator, will own the intellectual property.

What is meant by “within the scope of employment”?

Works related to an individual's job responsibilities, even if he or she is not specifically requested to create them, will belong to Erskine as works-for-hire. A copyright work is related to an employee's job responsibilities if it is the kind of work he or she is employed to do and he or she does it, at least in part, for his or her use at work, or for use by fellow employees, his/her employer, or his/her employer's clients. The work should be performed substantially at work using work facilities, but the employee's use of personal time or other facilities to create the work will not change its basic nature if it is related to the person's job as described above. Works that have nothing to do with job duties will remain the property of the employee so long as he or she makes no more than incidental use of Erskine facilities.

For example, if your job were “Safety Engineer,” a software program that you created on your own initiative to run on everyone's work computers to show a graphic of their nearest fire exits would be related to your job duties and would belong to Erskine, even if no one asked you to create it and you did some of the programming at home on your own computer. A program that you create that does not relate to your job, that neither you nor others use at work, and that you create on your own time would belong to you.

What is meant by “substantial use”?

For purpose of this policy, “substantial use” is the use of resources other than those “ordinarily available” to most or all faculty, staff, and/or students. Such ordinarily available resources currently include office space and personal office equipment, office computers, library and other general use information resources, means of network access to such resources, and

other support (for student participation) provided through various work study or research programs. By contrast, use of College laboratories or special instrumentation, dedicated assistance by Erskine employees, special financial assistance, or extensive use of shared facilities would constitute substantial use.

To accommodate rapid changes in technological paradigms, the understanding of “substantial use” may be revised from time to time by the Senior Vice President of Academic Affairs, respectively, for approval by the President’s cabinet.

Contact Information:

Interim Title IX Coordinator

Mr. Buck Brown, Jr.

Room #238, 2nd Floor, Belk Hall

Office (864) 379-8805 or Home Phone (864) 341-6810

Email – brown@erskine.edu

Non-Discrimination Coordinator

Mr. Buck Brown, Jr.

Room #238, 2nd Floor, Belk Hall

Office (864) 379-8805 or Home Phone (864) 341-6810

Email – brown@erskine.edu

Dean of Student Development

Dr. Wendi Santee

Office (864)379-8702;

Email – santee@erskine.edu

Chief of Erskine Police Department

Randy Estep

Emergency: 911

Office: (864) 379-8869; Erskine Police Department Cell (864) 378-1650

Email – estep@erskine.edu

Office of Human Resources

Barbara Peck, Director

Belk Hall Room 239

864-379-6546

Email – peck@erskine.edu

To Report Fraud

Information will be delivered to the individual currently in the position at the time. Sealed envelopes will be delivered intact.

Chair of the Finance Committee

P.O. Box 338

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Secretary of the Board of Trustees

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Employment

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Definition of Employee Classification

Full-time Faculty Employee – A faculty member who works on a full-time basis and is paid over 12 months per year.

Full-time Staff and/or Administrative Employee - A staff or administration employee who normally works 30 hours per week. (Eligible for Full Benefits).

Part-time Staff Employee –A non-faculty employee who is scheduled to work an average of 20 to 29 hours per week on a consistent basis. May be eligible for leave benefits on a pro-rated basis, eligible for retirement.

Adjunct Faculty – Faculty members who work on an adjunct or part-time basis. Adjuncts are not usually eligible for benefits, but should contact Human Resources with questions.

Temporary Employee – An employee hired on a temporary basis who is not usually eligible for benefits.

Student Employee – A student who is employed on a part-time basis. Student employees are not usually eligible for benefits.

Work Study Student Employee – A student employed through Erskine's Work Study program. A work study student employee is not eligible for benefits.

Note: For employees who are approved to work fewer than 40 hours per week, certain benefit eligibility rules apply, and either reduced benefits or no benefits apply, accordingly.

Hiring a New Employee

Erskine's hiring practices, mandated regulations, and compliance issues are specialized subjects. The process of hiring is a joint effort between the department involved, the officer responsible for the department, the search committee, if applicable, and Human Resources.

Before beginning a search, advertising, or interviewing for any vacant or new position, the responsible individual should contact Human Resources. There are important guidelines and checkpoints for approval in the process of hiring any employee. A ***Personnel Requisition Form initiates the hiring process and*** should be completed and approved prior to position announcements.

Applying for Employment at Erskine

All applicants will be required to complete the appropriate Erskine Application for Employment before they are interviewed. The current applications for employment are as follows:

Administrative Application (Director Level and Above)

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Erskine Staff Application (All Other Staff and Athletics)

Faculty Application (college and seminary Faculty)

Applications are only accepted for available jobs, and they are kept on file for one year.

It is the policy of Erskine to fully comply with all applicable laws that prohibit discrimination on the basis of race, color, national origin, gender, age, pregnancy or childbirth, disability, genetic information, military service, application for military service, veteran status, or any other characteristic protected by applicable law. The institution will utilize strategies designed to assure that qualified persons with disabilities, women, and legally protected minorities are well represented in applicant pools from which employees are selected.

As a religious educational institution, Erskine strives to achieve and maintain a Christ-centered environment. Consistent with that goal, Erskine shall exercise its theological, constitutional, and statutory right to take religion into account in all employment decisions.

Staff Employment

Erskine employs as new staff members at the management level (director-level and above) only Christians who have consented in writing to the Philosophy of Christian Higher Education statement, including its definition of an evangelical Christian, and the appropriate college or seminary Mission Statement. Implementation of this policy shall be the responsibility of the President.

Faculty Employment

Erskine employs as new faculty members only Christians who have consented in writing to the Philosophy of Christian Higher Education statement, including its definition of an evangelical Christian, and the appropriate college or seminary Mission Statement. Implementation of this policy shall be the responsibility of the President.

For more specific Information pertaining to the hiring requirements for college and seminary faculty, please refer to the respective faculty handbooks.

Background Records and Credit Checks

Erskine seeks to provide a safe and secure environment for students, faculty, and staff and for the protection of financial and material assets of the institution. To accomplish this goal, background checks will be conducted on all persons to whom an offer of employment will be made to identify individuals whose presence in the workplace could create an unacceptable risk to our campus community. The type of information collected by the agency includes, but is not limited to, that pertaining to an individual's past employment, education, character, finances, reputation, mode of living, etc....

Credit checks will also be conducted on potential employees applying for financially sensitive positions.

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Employment is contingent upon a successful background and credit check (as determined on a case-by-case basis). A third party agency will be used to conduct these background checks to maintain compliance with all federal and state statutes, such as the Fair Credit Reporting Act.

While these checks are normally conducted during the hiring process, Erskine reserves the right to conduct investigations on other employees as deemed necessary by the President and/or a Vice President, Department Head, or Human Resources. Any employee who was not originally in a position that required a credit check but transfers to such position will be required to undergo the credit check before beginning that new position.

Sex Offender's Registry Background Verification

Erskine has an obligation to protect its constituency and property from unsuitable or potentially dangerous employees. To ensure the safety of the campus, it is Erskine's practice to verify that employees are excluded from the Sex Offenders Registry with the South Carolina Law Enforcement Division. Student employees that are on work study are required to self-certify with Financial Aid based upon requirements and regulations within the work study program. For more information regarding individual notification requirements, please refer to the Sex Offender Registry and Access to Related Information section located under the Sexual Assault policy contained herein. All departments are responsible for providing information as needed to Human Resources **BEFORE** an offer of employment is extended. Periodic updates will be verified with appropriate action taken by Erskine, as determined on a case-by-case basis.

Temporary Help

Anyone seeking to employ temporary help in the summer or during the school year should first contact the Director of Financial Aid to see whether or not any Erskine student has a need that could be met by such work and can fill the job.

Supervisors seeking to hire part-time employees to handle seasonal or project-related jobs should complete a **Personnel Requisition Form**, obtain approval from the appropriate Vice President, and then contact Human Resources.

Employment of Spouses, Children, Parents of Current Employees

To avoid the appearance of impropriety, favoritism, or conflicts of interest, close relatives (including, but not limited to parents, children, grandparents, grandchildren, siblings, and spouses) of employees normally should not work for Erskine in any role or job duty in which their relative has direct or indirect supervisory or assessment responsibility, nor in jobs between which separation of duties or other internal controls are, in Erskine's sole judgment, desirable.

Erskine has the right to assign or transfer employees to meet its goals and needs, including without limitation, the need to avoid actual or perceived conflicts of interest and to maintain

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good internal control. In certain instances when Erskine in its sole judgment deems it to be in its best interest, close relatives of employees may be allowed to work in the same department. Erskine will make a reasonable effort to transfer current employees in such a case but is not obligated to do so. Each situation is considered on a case-by-case basis.

Regardless of their assignment, employees should not attempt to influence or participate in hiring decisions, assignment, direction, coordination, or evaluation of close relatives.

The President of Erskine, or his/her designee, makes the final decision should questions arise relating to this issue.

Letters of Appointment

Letters of Appointment are issued by the President and/or Vice Presidents in each respective area. After an employee signs the Letter of Appointment acknowledging receipt, the document is submitted to the Business Office for processing.

Letters of Appointment for new positions or letters that reflect changes in salary must have the approval of the Senior Vice President for Finance and Operations before being distributed.

New Employee Orientation

All new full-time and part-time employees are asked to attend new employee orientation that explains the responsibilities and privileges for employees, including benefits. Required paperwork is also completed at this meeting.

This orientation should be attended and scheduled with Human Resources within the first week of employment. The supervisor of the new employee is responsible for reviewing departmental practices and procedures to ensure the department's needs are properly outlined.

New employees have a 30-day open-enrollment period for group insurance plans. **It is critical that new employees enroll in the group insurance plan within this specified time period, or the employee will NOT be allowed to enroll unless there is a qualifying event or future open enrollment period.**

W-4 Forms

All new Erskine employees must complete a **W-4 Form** (Withholding Exemption Certificate), in compliance with Internal Revenue Service. This form also provides payroll with necessary tax and withholding information. Employees may change tax withholding information at any time.

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I-9 Forms

The Immigration Reform and Control Act of 1986 requires employers to verify that all new employees, including student employees, are legally eligible to work in the United States. A properly completed **Form I-9** is used to provide this verification.

The Immigration Reform and Control Act also prohibits discrimination against any individual (other than an unauthorized alien) in recruiting, hiring, or discharging because of national origin or citizenship status.

E-Verify

The "South Carolina Illegal Immigration and Reform Act" was signed into law on June 4, 2008. The law requires all employers to verify the legal status of new employees and prohibits employment of any worker who is not legally in this country and authorized to work. After July 1, 2009, all businesses in South Carolina are imputed a South Carolina employment license which permits an employer to hire employees. Erskine has chosen to use the E-Verify federal work authorization program administered by the U.S. Department of Homeland Security.

Evaluation Period

Erskine realizes that the first weeks on a new job can cause an employee to have many questions that need to be answered. During this evaluation period and thereafter, an employee's supervisor is his/her primary source of information and instruction. The supervisor will explain one's duties and responsibilities and will review one's progress in meeting job requirements. The Human Resources Department is also available to assist new employees throughout their period of employment.

Performance Appraisals (Staff Employees)

It is the policy of Erskine to conduct a performance appraisal (evaluation) on each staff employee on an annual basis.

The performance appraisal normally includes, but is not limited to, such factors as the quality and quantity of an employee's work, attendance record, and employee attitude. Special projects or assignments should also be included in the performance appraisal process. A positive evaluation of an employee or Erskine's failure to evaluate may not preclude disciplinary action as determined in the sole discretion of Erskine.

When the review is given, the employee is asked to sign the appraisal form simply to acknowledge that it has been presented and discussed. The employee is given the opportunity to submit a written statement that is kept on file with the appraisal. If at any time there are questions about one's job or performance, an employee should not hesitate to speak with his/her supervisor.

Employees whose evaluation indicates that general improvements need to be made may be given a **Performance Improvement Plan (PIP)**. The objective of the PIP is to define areas

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of concern regarding the employee's work performance, to reiterate Erskine's expectations for the position, and to allow the employee the opportunity to demonstrate improvement.

Performance Evaluation/Appraisal (Faculty Employees)

Faculty employees will be given performance evaluations based upon the guidelines set forth in the respective *Faculty Handbook*.

Promotions/Transfers

It is the intent of Erskine to fill vacancies from within the institution whenever practical. In promotions, It is the policy of Erskine to fully comply with all applicable laws that prohibit discrimination on the basis of race, color, national origin, gender, age, pregnancy or childbirth, disability, genetic information, military service, application for military service, veteran status, or any other characteristic protected by applicable law. The institution will utilize strategies designed to assure that qualified persons with disabilities, women, and legally protected minorities are well represented in applicant pools from which employees are selected.

As a religious educational institution, Erskine strives to achieve and maintain a Christ-centered environment. Consistent with that goal, Erskine shall exercise its theological, constitutional, and statutory right to take religion into account in all employment decisions. Certain positions at Erskine (for example, the Chaplain) may, as a result of Erskine's relationship with the Associate Reformed Presbyterian Church, have a specific religious affiliation requirement.

All personnel changes must be approved by the appropriate Vice President of that department and reviewed with Human Resources **in advance**.

Retirement

At Erskine, a "retiree" is not simply an individual who has participated in Erskine's retirement plan and has stopped working, but he or she has applied for retirement and has met certain eligibility criteria, and is therefore eligible for certain benefits and privileges.

Eligibility

One must be at least 62 years of age.

Notification

An employee is requested to notify his/her supervisor or Vice President in one's respective area, in writing, at least 6 months prior to retirement.

Benefits and Privileges

- Dining Hall meals at reduced rates

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- Free or discounted fees to games, performing arts, and other events
- Lump sum payment for any unused vacation leave as eligibility requirements dictate
- Internet access and e-mail for campus accounts
- Fitness and exercise facilities access

Honoring Employees Who Leave Erskine

Employees who leave their employment with Erskine by means of voluntary resignation or official retirement will be recognized for their service at the institution's annual Employee Appreciation Event, usually held in the spring. Institution-funded gifts and service awards will be presented based upon the employee's length of service as outlined in the current service recognition program.

Voluntary resignations or official retirements occurring after the annual event where it is neither practical nor possible for recognition to be deferred to the next event will be addressed on a case-by-case basis.

Resignation Notice

If a non-faculty employee plans to terminate his/her employment other than due to retirement, the employee is expected to give a minimum of two weeks' notice. The employee should present a written resignation to his/her immediate supervisor with a copy to Human Resources. Employees who have given acceptable notice at the time of resignation will be granted compensation for any accrued but unused vacation time, subject to the limits in Erskine's then-current vacation policies.

For faculty employees, please refer to the Faculty Guidelines as published in the College/Seminary *Faculty Handbook* which requests that notice of purpose to resign should be given in writing to the appropriate vice president six months prior to the date when the faculty member desires to leave the office or as soon as practical.

Exit Interviews

Exit interviews are normally conducted before an employee's last scheduled work day when an employee leaves employment. The purpose of this exit interview is to review and ensure that pay, benefits, and other necessary information and arrangements are handled correctly. The supervisor in the respective area is responsible for scheduling this appointment and completing and submitting the ***Exit Interview Form*** to Human Resources.

Leaving Employment

As stated in the vacation policy, any vacation granted but not yet taken will be added to one's final paycheck. However, any amounts owed by the employee to the institution (bookstore charges, payroll advances, etc.) may be deducted from the employee's final paycheck.

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The institution may withhold payment of funds owed to a terminated employee engaged in income producing activity involving the Institution (such as seminars, camps, publications, sale of merchandise, etc.) until a final accounting of all funds requested by Erskine relative to the activity have been submitted to and reviewed by the institution. These statements include but are not limited to financial statements, income and expense statements, credit card statements, etc.

The institution reserves the right to seek **ANY** funds owed to it by a terminated employee, first through simple request, and that failing, through legal action.

Re-Employment

Employment service will be bridged for the tuition waiver benefit and all other service related benefits (sick leave is excluded). Other benefit start-dates such as insurance coverage and retirement plan participation will be based on the specific benefit plan provisions. Employees may contact the Human Resources Department for benefit information.

Employees transferring from a non-benefit-eligible position to a benefit-eligible position accrue benefits at the new-hire accrual rate.

Unemployment Insurance

All employees are insured under the South Carolina Employment Security Law. Unemployment compensation benefits are paid to insured workers who are unemployed and meet the applicable eligibility requirements. Claims are filed with the South Carolina Department of Employment and Workforce.

Compensation and Hours

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Duties and Normal Work Week

An employee's best source for information about his/her specific job duties and responsibilities is his/her supervisor. Erskine may have created a job description for a particular position; however, a job description is not a contract of employment. Erskine reserves the right to amend such a description and/or adjust or reassign job responsibilities as it deems best to meet its objectives. Supervisors should be asked questions that arise regarding job duties.

In addition to satisfactorily and effectively conducting their regular duties, employees may be asked to serve on committees as assigned or elected and to assume other duties normally assigned to Erskine employees.

The normal daily office schedule is 8:00 A.M. to 4:30 P.M. Monday through Friday with a one-hour lunch period. The normal office workweek is 37.5 hours for staff employees. Non-exempt employees do not become eligible for overtime until they work more than 40 hours in any given workweek. For salaried non-exempt employees, (1) the regular rate of pay for overtime purposes is the weekly salary divided by 40, and (2) there will be no additional compensation for hours worked between 37.5 and 40 in any given workweek. The work week begins on Saturday and ends on Friday. Hourly employees will continue to be paid on the basis of actual hours worked.

Should Erskine change her normal hours of operation from 37.5 back to 40 hours per workweek, the institution will be under no obligation to adjust employee compensation.

Salary and Wages

All wages are paid on a monthly schedule. Employees are notified at the time of employment the method of frequency.

Date and Place of Pay

Administrators, staff, faculty, and other part-time employees are normally paid on the last business day of each month unless notified due to different operating schedules.

Paychecks are placed in employees' Erskine mailboxes. Paychecks for adjunct employees are normally mailed unless notified otherwise.

Employee questions regarding check overages, shortages, and/or deductions should be directed to one's supervisor/manager or the Business Office.

Employees should not request payroll checks early. Direct Deposit is available and can be coordinated through Human Resources or the Business Office.

For everyone's protection, an employee's check will not be released to someone other than to the payee unless the payee has made this request in writing in advance. An individual picking up a check on an employee's behalf may be required to show proof of ID before the

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check is released. Employee should report lost or incorrect checks to the Business Office immediately.

Time Reporting

The Federal Wage and Hour law requires that Erskine keep a record of hours worked by non-exempt employees. All non-exempt employees are required to submit to the Business Office a record of attendance, noting any deviations from the normal work week, including leave taken. Time cards should be submitted to the Business Office on a weekly basis.

Exempt employees should turn in a ***Time Exception Report for Exempt Employees*** to the Business Office by the 15th of the month for the previous month. This allows the Business Office to document any vacation, sick, or other time for pay in lieu of hours worked.

Other Pay Requests

Other requests for additional pay must be received in the Business Office by the 15th of each month in order to be processed with the monthly payroll. This would include any stipends, miscellaneous, or additional pay, etc.

Advances

Erskine does not normally make advances on salary or wage payments. Employees should plan accordingly.

Deductions from Paychecks

There are certain items that must be deducted from gross wages: Federal Insurance Contribution Act (FICA) taxes, federal withholding tax, state withholding tax, and other deductions required by law unless an employee is approved for exemption. In addition, other deductions such as insurance premiums, retirement plan contributions, and other benefit elections are normally payroll deducted. An employee may elect to have gifts to Erskine voluntarily deducted from his/her paycheck.

An employee must deliver or mail an IRS ***Form W-4*** to the Business Office to change the number of exemptions claimed for federal and state tax. This form will be used for both federal and state withholding unless an employee specifies in writing to withhold the two taxes using a different number of exemptions.

Overtime Pay

Overtime pay is one and one-half times the regular rate of pay and is computed on the number of hours exceeding 40 hours actually worked in a normal work-week, not including vacation, sick, holiday, or other paid or unpaid leave.

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Because of the nature of Erskine's activities and operations, there will be times during the year with special events, unexpected emergencies, and other occasions when some employees will be asked to work additional hours on a particular day or on a weekend. When extra work of this nature is required, non-exempt employees may take off time in excess of 40 hours during the same work week (Saturday – Friday) or will be compensated for over-time hours worked at the over-time rate. Overtime should be approved in advance by the appropriate supervisor. Exempt employees are not eligible for overtime pay or compensatory time.

Wage and Salary Increases

Wages and salaries are normally reviewed by the administration each fiscal year during the budget planning process. Wage increases normally become effective with the issuance of a new Letter of Appointment.

It is Erskine's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that everyone is paid properly for all time worked and that no improper deductions are made, employees must record correctly all work time and review their paychecks promptly to identify and to report all errors. Employees also must not engage in off-the-clock or unrecorded work.

Review Your Pay Stub

Erskine makes every effort to ensure its employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, Erskine promptly will make any correction that is necessary. Employees are encouraged to review their pay stubs when they receive them to make sure they are correct. If employees believe a mistake has occurred or if employees have any question, they should use the reporting procedure outlined below.

Non-exempt Employees

If an employee is eligible for overtime pay or extra pay, he/she must maintain a record of the total hours worked each day. These hours must be accurately recorded on a time card which will be provided. Each non-exempt employee must sign his/her time card to verify that the reported hours worked are complete and accurate (and that there is no unrecorded or "off-the-clock" work). Time cards must accurately reflect all regular and overtime hours worked, any absences, early or late arrivals, early or late departures and meal breaks. At the end of each week, non-exempt employees should submit their completed time cards for verification and approval. When non-exempt employees receive each pay checks, they are encouraged to verify immediately that they have been paid correctly for all regular and overtime hours worked each workweek.

Exempt Employees

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If an employee is classified as an exempt salaried employee, he/she will receive a salary which is intended to compensate him/her for all hours worked for Erskine. This salary will be established at the time of hire or when an employee becomes classified as an exempt employee. While it may be subject to review and modification from time-to-time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Exempt employees will receive their full salary for any workweek in which work is performed. However, under federal law, one's salary is subject to certain deductions. For example, absent contrary state law requirements, an exempt employee's salary can be reduced for the following reasons in a workweek in which work was performed:

- Full day absences for personal reasons, including vacation.
- Full day absences for sickness or disability, since we have a sick day pay plan.
- Full day disciplinary suspensions for infractions of safety rules of major significance (including those that could cause serious harm to others).
- Family and Medical Leave absences (either full or partial day absences).
- To offset amounts received as payment for jury and witness fees or military pay.
- Unpaid disciplinary suspensions of one or more full days for significant infractions of major workplace conduct rules set forth in written policies.
- The first or last week of employment in the event an exempt employee works less than a full week.

An exempt employee's salary also may be reduced for certain types of deductions, such as: the employee's portion of health, dental or life insurance premiums; state, federal or local taxes, social security; or voluntary contributions to a 401(k) or pension plan. In any workweek in which an exempt employee performed any work, his/her salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness or disability.
- Absence because the facility is closed on a scheduled work day.
- Absences for jury duty, attendance as a witness, or military leave in any week in which one has performed any work.
- Any other deductions prohibited by state or federal law.

Please note: Exempt employees will be required to use accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability. However, one's salary will not be reduced for partial day absences if one does not have accrued paid time off. Exempt employee must complete a monthly Time Exception Report.

To Report Violations of This Policy, Communicate Concerns, or Obtain More Information

It is a violation of Erskine's policy for any employee to falsify a time card or to alter another employee's time card. It is also a serious violation of Erskine policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked or to alter another employee's time card to under-or-over-report hours worked. If any manager or employee instructs another employee to (1) incorrectly or falsely under-or-over-report one's hours worked, (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, or (3) conceal any falsification of time records or to violate this policy, **do NOT do so**. Instead, the incidents should be reported immediately to the Human Resources Department.

Non-exempt employees should not work any hours outside of their scheduled work day unless a supervisor has authorized the unscheduled work in advance. Non-exempt employees should not work early, finish work late, work during a meal break or perform any other extra or overtime work unless they are authorized to do so **and** that time is recorded on their time cards. Non-exempt employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work one may perform but fail to report on his/her time card. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination.

If employees have questions about deductions from their pay, they should contact Human Resources immediately. If employees believe their wages have been subject to any improper deductions or their pay does not accurately reflect all hours worked, employees should report their concerns to a supervisor immediately. If a supervisor is unavailable or if employees believe it would be inappropriate to contact that person (or if one has not received a prompt and fully acceptable reply within three business days), employees should immediately contact the Director of Human Resources, Barbara Peck, 864-379-6546 or peck@erskine.edu or Accounts Payable, Martha Wood, 864-379-8769 or wood@erskine.edu. Every report will be fully investigated and appropriate, corrective action will be taken, up to and including termination of any employee(s) who violates this policy.

In addition, Erskine will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in Erskine's investigation of such reports. Retaliation is unacceptable. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

Benefits and Other Services

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Direct Deposit

Direct deposit of paychecks is a free benefit currently available to all employees. To sign up for this program, an employee should complete the **Direct Deposit Form** and submit it to the Business Office/Human Resources along with a voided check attached. Employees may have money deposited in up to three accounts. Employees should contact the Business Office to verify when the direct deposit will go into effect.

Holidays

Erskine provides 20 paid holidays each fiscal year (July 1-June 30) for full-time, non-faculty employees. The **Annual Holiday Schedule** is distributed normally by June for the following year and is distributed via e-mail or may be obtained from Human Resources. Please refer to the actual schedule for specific dates, observations, and changes. Faculty are expected to operate according to the Academic Calendar.

Holiday Pay

Holiday hours are not included in the computation of overtime pay. Temporary employees receive no compensation for a holiday unless they actually work on that day, in which case, they are compensated at their normal pay rate.

Erskine may ask employees to work on a holiday. While Erskine normally seeks volunteers for such duty, ultimately, each supervisor chooses which employees are needed to fill the requirements of the job.

Employees who are on an **unpaid** leave of absence without pay do not receive holiday pay or credit toward another paid day off.

Bereavement Leave

Erskine recognizes the concerns involved when a member of one's immediate family passes away. To provide assistance, Erskine grants, at its discretion, eligible employees time off up to a maximum of three (3) schedule workdays in order to arrange for and/or attend funeral services. Such leave must be requested and approved by the employee's supervisor. Verification of the reason for the absence may be required upon request of the employee's supervisor. Pay for each day of bereavement leave will be made at the employee's current straight-time rate of pay. For the purpose of this guideline, "immediate family" is defined as being the employee's father, mother, father-in-law, mother-in-law, spouse, brother, sister, son, daughter, son-in-law, daughter-in-law, step-child, step-parents, grandparents, grandchildren or any dependent living in the employee's household.

If the employee wishes to attend the funeral of a person who is not named above, the employee should request vacation from the supervisor explaining the nature of the relationship with the deceased (i.e., aunt, uncle, cousin, spouse's grandparent, close friend, etc.).

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Vacation

This policy applies to full-time, non-faculty employees. Faculty and coaching staff are not eligible for this benefit. Vacation time is based upon years of service.

Full-time, non-faculty employees accrue vacation based upon years of service according to the calculations below. During the first year of employment, beginning with the first full month of employment, vacation is accrued at 6.67 hours per month, which is equivalent to 6 hours and 40 minutes.

<u>Years of Service</u>	<u>Hours/Days Accrued</u>	<u>Vacation Accrued</u>
1 month – less than 10 years	80 hours/10 days	or 6.67 hours per month
10 years – less than 20 years	120 hours/15 days	or 10 hours per month
After 20 years	160 hours/20 days	or 13.33 hours per month

Vacation can be taken as accrued. Vacation may be scheduled in increments of one hour. Vacations must be scheduled to meet the requirements of the office and must be approved by one's supervisor. When a legal holiday falls within an employee's vacation period, the day will be counted as a holiday and not a vacation day. Pay is not normally granted in lieu of vacation. Illness occurring during vacation is considered sick leave (up to 5 days) and is not charged to vacation unless all sick leave has been exhausted.

Each July 1st of the fiscal year, each employee is granted vacation based upon years of continuous service. Upon each employee's anniversary date of ten and twenty years of service, an additional week of vacation will be added to the employee's vacation time. Employees that have a June hire date may carryover the additional anniversary week for the following year only.

In the event an employee leaves, the employee will be paid for any earned but unused vacation time. An employee who takes this vacation time and fails to complete one year of employment shall have his/her final pay check reduced on a pro-rated basis for vacation benefits taken but not yet earned.

Full-time employees who work at least 30 hours per week are eligible for vacation at the following rates:

<u>Years of Service</u>	<u>Hours Accrued</u>	<u>Vacation Accrued</u>
1 month – less than 10 years	60 hours	or 5.00 hours per month
10 years – less than 20 years	90 hours	or 7.5 hours per month
After 20 years	120 hours	or 10 hours per month

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Note: Since the position is a 30 hour per week position, if the employee works fewer than 30 hours per week, accrued leave must be taken to account for the 30 hours. Vacation hours earned must be taken before the end of the fiscal year.

Part-time employees and employees who work fewer than 30 hours per week are not eligible for vacation leave benefits.

Erskine shall require the employee to substitute accrued paid leave (both vacation and sick leave) to cover some or all of the situations to which the Family and Medical Leave Act (FMLA) applies.

Vacation time may not generally be carried over from one fiscal year to the next. Upon leaving Erskine, an employee will be paid out only for any unused vacation days remaining during the fiscal year in which the employee leaves employment.

Sick Leave

This policy applies to non-faculty employees and is based on service. Faculty and coaching staff employees are not eligible for this benefit.

Sick leave is provided to prevent loss of income and hardship during necessary periods of absence from work caused by illness or injury. Sick leave with pay is available due to illness, injury, medical appointments, or sickness in the immediate family (spouse, dependents living in the employee's household, or (step) parent).

Sick leave is accumulated at the rate of 10 days per fiscal year which equals 6.67 hours per month (equivalent to 6 hours and 40 minutes). Sick leave may not be used in advance of being accrued. Unused sick leave may be carried over and accumulated up to a maximum of 90 days. Employees will not be paid for unused sick leave when they leave their employment with Erskine.

Absences for sick leave are permitted in increments of one hour. When an employee will be absent, the supervisor should be called immediately. The supervisor should be in regular and continuous communication during an extended illness and verification may be requested for absences more than three days. If an employee is sick more than five days, he or she should request a leave of absence and provide medical verification of the absence upon request. Abuse of the sick leave privilege may be cause for termination.

For employees who work fewer than 40 hours per week, sick leave accrual is prorated accordingly. Part-time employees and employees who work fewer than 30 hours per week are not eligible for sick leave benefits. Sick time can be carried forward and accumulated up to 68 days.

Erskine will require the employee to substitute accrued paid leave (both vacation and sick leave) to cover some or all of the situations to which the Family and Medical Leave Act (FMLA), Workers Compensation, or other approved leave applies.

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HIPAA -Health Insurance Portability and Accountability Act

The Health Insurance Portability and Accountability Act (HIPAA) contains provisions that allow employees/dependents who decline health insurance coverage because they had other coverage initially to enroll in Erskine's health insurance plan within 31 days if the other coverage is terminated under certain conditions called qualifying events.

Also, employees who separate from Erskine will be able to obtain a certificate proving they had health insurance coverage. Future employers may need this certificate to administer the employee's new coverage.

HIPAA also establishes certain privacy rights regarding employees' personal health information. An employee may get more detailed information that is contained in the **HIPAA Privacy Practices Notice** or contact Human Resources.

Medical (including vision and prescription drug coverage) and Dental Insurance

NOTE: The insurance benefits described below are subject to modification or elimination at any time within the sole discretion of Erskine and/or The General Synod of the ARP, which sponsors the plan.

Medical

Full time employees who meet plan eligibility requirements (routinely work at least 30 hours per week) may enroll themselves and their dependents in the Institution Group Medical Insurance Plan. It includes medical, vision and retail/mail order prescription drug coverage. Premiums are cost-shared between Erskine and the employee. Employees should contact Human Resources to get information on plan specifics and premium costs.

Dental

Full time employees who meet plan eligibility requirements (routinely work at least 30 hours per week) may enroll themselves and their dependents in the Institution Group Medical Dental Insurance Plan. Premiums are cost-shared between Erskine and the employee. Employees should contact Human Resources to get information on plan specifics and premium costs. **Overview of Benefits** These benefits are designed to provide the employee and his/her dependents health care including benefits for major medical and skilled nursing facility care. For highlights of the plan, refer to ***Benefit Plan Highlights or Summary Plan Description*** which can be found on the Human Resources Section of the Erskine website.

New employees must enroll (or waive) within the first 30 days of employment for insurance. Employees who wish to enroll in insurance after this 30-day window will only be eligible based upon the occurrence of a qualifying event (with documentation) or during an open enrollment period.

During New Hire Orientation, employees who meet eligibility requirements are given details of the coverages available. After enrollment, employees will receive a plan booklet detailing the benefits and coverages of the plan.

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Dependents

In general, a dependent is defined as an employee's current spouse, children, and/or stepchildren.

Adding or Removing Dependents

An employee can add his/her eligible dependents to his/her coverage at the time of enrollment. After the initial enrollment, an employee can add newly eligible dependents **within 30 days of a qualifying event**, such as an employee's marriage, or the birth or adoption of a child (with documentation) or during an open enrollment period.

Eligible dependents not added to an employee's plan within 30 days of a qualifying event cannot be added to the plan at a later time. An employee can remove dependents from his/her health insurance plan at a qualifying event or the plan anniversary (this would be the plan anniversary of the Section 125 Plan). If an employee has dependent coverage, a new born child is covered as long as the employee enrolls the newborn in the plan within 30 days of birth.

The terms of the Health Insurance Plan, including eligibility, coverage, waiting periods, deductibles, and co-payments, are set out in the written ***Medical Plan Document*** that is mailed to employees upon enrollment. The terms of the Dental Insurance Plan, including eligibility, coverage, waiting periods, deductibles, and co-payments are set out in the written ***Dental Plan Document***. The plan documents, which are subject to amendment from time-to-time, supersede all other descriptions or characterizations of the plans, including anything in this handbook. In the event of any contradiction between information appearing in this handbook and in the plan documents, the latter govern. There are stringent legal requirements regarding enrolling, changing elections, allowable expense reimbursement, and withdrawal once an employee participates. An employee should carefully study the plan documents before he or she elects to participate. If an employee has questions regarding the plan and eligibility requirements, he or she should contact the Human Resources Office.

For questions regarding filing or pre-certification requirements, an employee should contact the Plan Administrator at the telephone numbers printed on the employee's medical insurance card.

COBRA - Insurance Continuation after termination of employment

Under provisions of the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), insured employees and the insured dependents of active or retired employees may apply to continue group health insurance coverage if they lose normal eligibility for any of the following:

1. Employee termination;
2. Reduction in work hours;
3. Divorce or legal separation; and/or
4. Cessation of eligibility as a "dependent" or any situation which results in the loss of insurance.

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The maximum period for continuation depends upon the qualifying event. The insured may be required to pay the full cost of insurance, plus an administration fee. For more information, an employee should refer to the COBRA Notice or contact Human Resources.

Erskine will pay up to 2 months of COBRA insurance coverage at the 50% level (only) for employees who leave Erskine's employment for voluntary reasons or for reasons OTHER THAN termination with cause and retirement. The 50% benefit will apply to medical and dental insurance coverage and will be paid to the former employee on a reimbursement basis only. Verification of COBRA election and proof of payment is required before any disbursement is made from Erskine to the former employee. Former employees who do NOT elect COBRA or do so for only 1 month will not receive the benefit or will receive only 1 month, respectively.

Life Insurance

Erskine provides group term life insurance for employees and their dependents based on plan eligibility. Coverage levels can be obtained from the Human Resources Office. Coverage becomes effective upon an employee's hire provided the enrollment form is completed within 30 days. For more information regarding this benefit, please refer to the ***Life Insurance Plan Document*** or contact Human Resources.

Accidental Death and Dismemberment Insurance

Erskine currently provides each eligible employee with Accidental Death and Dismemberment Insurance. Dependents are not covered. This benefit provides additional coverage in the event of accidental death or dismemberment according to the schedule of benefits. There is no cost to the employee for this coverage. For more information regarding this benefit, an employee should refer to the ***Accidental Death and Dismemberment Insurance Plan Document*** or contact Human Resources.

Long Term Disability Insurance

Erskine provides group long term disability insurance benefits to full-time employees based upon eligibility requirements. An employee becomes eligible for this benefit after one year of service. This plan pays qualified disabled employees a percentage of their annual base wages should they become disabled while their plan is in force. For information regarding eligibility requirements and the Long Term Disability Insurance Benefit, an employee should refer to the ***Long Term Disability Summary Plan Document*** or contact Human Resources.

Flexible Spending Plans

Erskine offers full-time employees three plans designed to help employees meet health care and dependent care expenses using pre-tax dollars--the Medical Reimbursement Flexible Spending Account, the Dependent Care Flexible Spending Account, and the Premium-only plan. Employees are given the opportunity to enroll in these plans upon hire, and enrollment opportunities are also provided on an annual basis during open enrollment. Information and enrollment materials are provided to employees during New Hire Orientation, or an employee may contact Human Resources for open enrollment times.

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Medical Reimbursement Flexible Spending Account

This optional plan allows employees to set aside a pre-determined amount of money from their gross pay (before taxes are calculated) to cover the cost of certain medical expenses that are not covered by other insurance or considered cosmetic in nature.

Examples of such expenses include co-pays and deductibles for medical, dental, orthodontia, prescription, over-the-counter medicines (with prescription or letter of medical necessity only effective 1/1/2011) and vision services, as well as medical expenses beyond the limits of one's coverage.

The dollars deducted from one's gross pay are set aside in a special account and used to pay for known expenses as they occur. An employee can save paying federal, state, and Social Security taxes on the amount one sets aside.

In order for a qualified participant to obtain reimbursement from the spending accounts, the employee should follow the requirements of the plan. The Plan Administrator will reimburse each allowable claim directly to the employee in an amount not to exceed the employee's account balance.

Employees should be aware that according to IRS provisions, funds left in the account in excess of \$500 and not utilized at year-end (December 31) are not refundable to the employee. Funds left in the account up to \$500 will be carried over to the following year. There is a small administration fee charged on a monthly basis for this benefit.

Dependent Care Flexible Spending Account

This optional plan allows an employee to set aside a pre-determined amount of money from one's gross pay (before taxes are calculated) for dependent care. The dollars deducted from one's gross pay are set aside in a special account and used to pay for expenses as they occur. No income taxes are charged on the amount when deducted from an employee's pay, when deposited in an employee's account, or when paid to the employee as a reimbursement. An employee can save paying federal and most state taxes, as well as (FICA), on the amount he or she sets aside.

An employee can use this plan for expenses paid to an eligible care provider of one's eligible dependents during working hours. Eligible dependents are children under age 13 (whom an employee can claim as exemptions for federal tax purposes) and an employee's disabled spouse, parent, or child age 13 or older whom an employee can claim as a dependent for federal tax purposes.

Further details are available in the Human Resources Office. Employees should be aware that according to IRS provisions, funds left in the account at year-end (December 31) and not utilized are not refundable to the employee. There is a small administration fee charged on a monthly basis for this benefit.

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Premium-Only Plan

Allows certain benefits, including, but not limited to medical insurance, dental insurance, and cancer insurance, to be deducted on a pre-tax basis. Employees who choose this option may not make changes (i.e. canceling insurance for themselves or dependents) until the open enrollment period or unless there is a qualifying event. See the Human Resources Office for details on qualifying events.

Regarding All Benefit Plans

The detailed terms of all of the benefit plans are set out in the written Plan Documents and Summary Plan Descriptions issued to employees. The Plan Documents, which are subject to amendment from time-to-time, supersede all other descriptions or characterizations of the plan, including anything in this handbook. In the event of any contradiction between information appearing in this handbook and in the Plan Document or master documents, the latter will govern. There are stringent legal requirements regarding enrolling, changing elections, allowable expense reimbursement, and withdrawal once an employee is a participant. An employee should carefully study the plan documents before he or she elects to participate. Plan documents are available through the Human Resources Department and in the Human Resources Section of the Erskine website.

Social Security and Medicare Benefits

Erskine pays a set percentage in relation to an employee's income to the Federal Social Security and Medicare Systems on an employee's behalf as required by federal regulations. Erskine also makes a mandatory deduction from an employee's pay for his/her share of Social Security and Medicare contributions. The amount of the employer's share and the employee's share are established by the Social Security Act. The amount paid to an individual upon retirement and the eligible retirement age is also determined by the Social Security Act.

Ministers are allowed to opt out of Social Security and Medicare and invest these funds in their own personal retirement plans in accordance with federal regulations. Ministers who choose to opt out of Social Security and Medicare are required to furnish appropriate documentation as requested.

Erskine Retirement Annuity Plan

Erskine currently makes available a Retirement Annuity Plan to all regular employees. Regular employees are defined as an employee who generally works a minimum of 20 hours per week. Employees may enroll in the Retirement Plan after 1 year of service (or earlier with proof of prior participation in a 403(b), or similar, retirement plan in accordance with the plan documents) and provided that the employee is 21 years of age.

This plan is a defined contribution plan in that contributions to the plan are a defined percentage of the employee's annual wages (excluding overtime and bonuses). This defined contribution must be made on a pre-tax basis and within the limits of the Internal Revenue Service.

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Information regarding the required employee deferral percentage and *Salary Reduction Agreement* forms can be obtained from the Human Resources Office or the Business Office.

This plan is self-directed in that the employee decides how the funds in the account are invested among several options. Information regarding the investment options can be obtained by calling the plan administrator or visiting the administrator's website. The plan is administered by the Teachers Insurance and Annuity Association (TIAA) and the College Retirement Equities Fund (CREF).

Erskine Supplemental Retirement Annuity Plan

Erskine employees may make individual pre-tax contributions into Erskine's Supplemental Retirement Annuity Plan. An employee may begin making contributions to this plan upon the date of one's hire, regardless of his/her participation in Erskine's basic retirement program described above.

Within the limits established by the Internal Revenue Service, such contributions must be made on a pre-tax basis by completing the appropriate salary reduction forms available in the Human Resources Office.

Questions regarding these benefits and eligibility should be addressed to the Human Resources Office.

Tuition Assistance (Employees Only)

Full-time employees who register for academic courses will normally be granted tuition remission, which includes the cost of the class only (associated lab fees and other fees are excluded), for up to three (3) courses per fiscal year (July 1st through June 30th)—one class per term. A full-time employee may petition the appropriate Vice President in writing to take additional classes (i.e. more than one class per term). The cost of all approved additional classes will be the employee's sole responsibility, and tuition remission will not apply. Petitions will be considered on a case-by-case basis. Any courses appertaining to this policy must be taken during hours which are acceptable to an employee's supervisor. This benefit is a privilege, and it is expected that time missed from normal office hours must be compensated by the employee at a time agreeable to the employee and his/her supervisor.

Faculty Staff Grant/Tuition Remission Grant (Dependent Children and Spouses only)

Full-time employees who have served at least three (3) years at an accredited institution of higher education are eligible for financial assistance from Erskine for their dependent children (natural children, adopted children, or step-children) and spouses who meet prevailing admissions standards. Children must meet the definitions of dependent under the IRS regulations to qualify for this benefit. Erskine will provide financial assistance for children and spouses of full-time employees in an amount equal to the total **tuition and required fees**, (excluding room, board, specific class fees, lab fees, etc...) of Erskine during the regular terms (fall and spring only) for such a period of time to earn one (1) degree. Employee dependents that have completed a baccalaureate degree at another institution may also enroll in Erskine

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Theological Seminary to complete a graduate degree program provided they meet prevailing admissions standards. However, only **one** (1) degree per dependent may be obtained through either the college or the seminary through this benefit program.

Children of full-time employees who meet the above criteria, who attend an area high school, and who take a class or classes at Erskine for college credit may do so free of charge provided that adequate space in the classroom is available.

Full-time employees who have a dependent who will be enrolled at Erskine must complete the FAFSA by June 1 of each year. If an employee's child or spouse qualifies for federal assistance, normal eligibility limits will apply. For students living on campus, in no case shall assistance from Erskine, state and/or federal assistance, and other scholarships amount to more than the total of tuition, fees, room and board costs. For students who elect to live off campus, in no case shall assistance from Erskine, state and/or federal assistance, and other scholarships amount to more than the total of tuition & fees and board (if using a meal plan). Dependents of full-time employees who qualify for federal or state grants, including the South Carolina Tuition Grant, will have the amount of those grants received deducted from tuition remission. This is a South Carolina state law. For more information regarding financial aid for dependents, contact the Director of Financial Aid.

Tuition remission will be granted to dependent children and spouses of full-time employees who have retired at 65 years of age or older under Erskine's retirement program or earlier by permanent disability or who died while employed by the institution or after retirement from Erskine. In each case the employee must have served the institution for at least three years on a full-time basis. For more information, contact the Financial Aid Director.

Verification of service to Erskine and/or other institutions will be required. Please contact Human Resources to obtain the proper documentation.

Tuition Exchange Programs

Erskine participates in a number of tuition exchange programs. The Dean of Enrollment Management serves as the liaison officer at Erskine and all questions regarding this program should be directed to the Financial Aid Office.

In order to be eligible for this benefit, an employee must have satisfied three years of service at an accredited institution of higher education. An application is required and an export fee must be paid by October 1 of each academic year in which the student plans to participate. Contact the Institutional Director of Financial Aid for the export fee amount.

Employees who would like to explore this benefit are strongly encouraged to contact the College Financial Aid Office while their student(s) are in their senior year of high school to determine eligibility.

Discounts on Cell Phone Services

Erskine has discount programs with various cell phone carriers. For information regarding

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those options, an employee should contact Human Resources.

Athletic and Cultural Events

Employees and their families may receive free or discounted admission to athletic and certain cultural events by presenting his/her Erskine Identification Card.

Library Services

Erskine's library facilities and services are available for employee use. The Employee Identification card must be shown to borrow materials and to use library services. For library hours, contacts, resources, policies, etc., visit the McCain Library website at <http://www.erskine.edu/library>.

Religious Activities

There are many active religious and spiritual organizations and events on campus. Regular events include convocation and chapel, which are held weekly for students and employees. All students and employees are encouraged to attend. An employee should check with the college and seminary for specific dates and times of events.

Dining Services

Erskine offers a wide variety of dining choices to students, employees, and the community. Dining options including Moffatt Dining Hall, Snappers Food Court, and Java City (located in Watkins Student Development Building) and feature made-to-order breakfast foods, and for lunch, grilled items, pizza, salads, sandwiches, fresh coffee, and smoothies. For more information, meal prices, and hours of operation, an employee should contact Aramark or visit the Aramark section on Erskine's website.

Meal tickets offer employees the ability to purchase meals in the dining hall at a discount. Employees should contact Aramark for further information on discounted meal tickets.

Meeting rooms and catering services are also available for social and business functions. Any employee may reserve the Founders Room of Moffatt Dining Hall in association with a meal. An employee should make reservations through the Erskine Events Management System available on Erskine's website.

Bookstore

The bookstore, located in Watkins Student Development Building, offers an array of merchandise and apparel, supplies, books, cards, gifts, as well as textbooks. Erskine employees receive a discount on purchases; sale items and certain special products are not included in this discount program. Employees should contact the Bookstore Coordinator for information on the discount program. The bookstore accepts cash, checks, and certain charge cards.

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Recreational Facilities

All employees are allowed to use the recreational facilities free of charge. Some of these facilities include the swimming pool, fitness and weight room, climbing wall, basketball courts, volleyball courts, racquetball courts, and tennis courts. For more information, an employee should contact the Athletic Department. While Erskine is in session, students have priority for recreational use. It is the responsibility of the faculty/staff member to **actively supervise his/her child(ren)** when using Erskine facilities.

EMPLOYEES ARE ADVISED THAT THERE ARE INHERENT RISKS, INCLUDING THE RISK OF SEVERE INJURY AND DEATH, ASSOCIATED WITH THE USE OF THE RECREATIONAL FACILITIES. BY USING THE RECREATIONAL FACILITIES, EMPLOYEES ARE VOLUNTARILY ASSUMING ALL SUCH RISKS AND AGREE TO BE SOLELY RESPONSIBLE FOR ANY AND ALL INJURIES OR DAMAGES, INCLUDING DEATH, THAT RESULT FROM THE USE OF THE RECREATIONAL FACILITIES. IN ADDITION, BY USING THE RECREATIONAL FACILITIES, EACH EMPLOYEE AGREES TO INDEMNIFY ERSKINE COLLEGE, ITS TRUSTEES, OFFICERS, AGENTS AND EMPLOYEES FROM ANY AND ALL ACTIONS, CLAIMS, DEMANDS, LOSSES, LIABILITIES, COSTS, INCLUDING REASONABLE LEGAL FEES AND COSTS, OF ANY NATURE ARISING OUT OF OR IN ANY WAY RELATED TO HIS/HER USE OF THE RECREATIONAL FACILITIES.

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Attendance and Leave

Attendance and Leave Policies

Regular attendance is important for Erskine to function effectively and efficiently. Employees must schedule time off in advance for vacation and most other absences. Although illness cannot be predicted, prompt notice is required when an employee is out for sick leave. An employee should leave his/her family (or those who would assist one in an illness) instructions on how to contact his/her supervisor in the case of an employee's absence from work. It is the employee's responsibility to notify his/her supervisor regarding absences.

Lateness or absence may result in discipline, up to and including termination. For example, if an employee is absent from work for three consecutive days without notification or does not report back to work after an authorized leave of absence, Erskine may reasonably assume that the employee has decided to terminate his/her employment without notice, and Erskine will take action accordingly.

Erskine currently provides paid leave (e.g., paid vacation, paid holidays, and paid sick leave) to employees who normally work a full 30 to 40-hour work week on a year-round schedule. Temporary employees normally do not receive paid leave.

Personal Leave

A personal leave of absence may be granted normally to full-time employees who have completed at least 6 months of continuous service. The length of the leave will be dependent upon the employee's personal circumstances, but under no conditions will the initial personal leave be granted for more than 30 days. Employees may be required to use eligible vacation time prior to taking unpaid personal leave.

Medical Leave of Absence

If an employee is hospitalized due to an injury or illness, his/her medical leave of absence begins the day he or she is hospitalized. If an employee is not hospitalized, but he or she is absent due to illness or injury for more than five (5) days, he or she is also eligible for a medical leave of absence. In order to be valid, a medical leave of absence must be substantiated by written medical evidence from the employee's doctor. In order to return to work, the employee must obtain written authorization to return to work. An employee may be required to use any sick or vacation time as accrued.

FMLA – Family and Medical Leave Act

Family and Medical Leave Act ("FMLA") requires covered employers such as Erskine to provide up to twelve weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons.

A copy of Erskine's Family and Medical Leave Act policy is available to all employees in the Human Resources Office. Employees should ask the Director of Human Resources to find out if they are eligible for leave under the Family and Medical Leave Act.

If, and to the extent Erskine is subject to FMLA, the following policy applies:

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The information listed below highlights the rights and obligations of employees and employers under the Act. This information is intended to be a short summary, such in any particular case, the precise rights and obligations of employees and Erskine will be governed by the law itself.

1. Eligible Employees

Erskine meets the definition of a “covered employer” under FMLA, and accordingly, a family and medical leave of absence is available under most circumstances only to employees who have been on the payroll for at least 12 months, during the past seven (7) years (subject to certain exceptions) who have worked at least 1,250 hours during the 12-month period preceding the commencement of the leave, and if Erskine employs at least 50 employees within a 75-mile radius of the employee’s worksite. Erskine will attempt to notify the employee of eligibility within five (5) days of being notified of a request for FMLA leave.

2. Twelve-Month Period

Erskine currently measures the 12-month period as a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. Family and medical leave taken within the 12 preceding months reduces the amount of leave entitlement under this provision.

Paid leave (including vacation, sick leave, personal leave, short-term or long-term disability and workers' compensation leave, if applicable) must be used concurrently with FMLA leave. Should the employee exhaust his/her paid leave, the remainder of the 12 weeks is treated as unpaid leave.

3. Scope

FMLA leave may be granted to eligible employees for the following reasons:

- a. The birth of a child and to care for such child within the first 12 months of birth.
- b. Leave for placement for adoption or foster care of a child or to care for such child within the first 12 months.
- c. In order to care for an immediate family member (spouse, child, or parent of the employee), with a serious health condition.
- d. Because of the employee's own serious health condition that makes the employee unable to perform the essential functions of his/ her position.
- e. For qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent, defined as a covered military member, is on active duty (or has been notified of an impending or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

- f. Military Caregiver Leave-A covered employer also must 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 who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability list, for a serious injury or illness incurred in the line of duty while on active duty. A covered service member incurs a serious illness or injury for purposes of this paragraph when he or she is medically unfit to perform the duties of his or her office, grade, rank, or rating.

Any leave taken in order to care for a child must be taken within 12 months from the birth of such child or the child's placement in the care of the employee through adoption or foster care.

In any case in which a husband and wife are both employed by Erskine and a leave is taken (a) because of the birth of a child and in order to care for such child; (b) because of the placement of a child with the employee for adoption or foster care; or (c) in order to care for a parent of one of the employees who has a serious health condition, the total number of weeks of leave to which both are entitled is no more than 12 weeks for the leaves described in sections (a), (b), and (c) of this paragraph (or 26 weeks if leave to care for a covered service member with a serious injury or illness is also used).

4. Serious Health Condition

"Serious Health Condition" means an illness, injury, impairment or physical or mental condition that involves:

- a. Inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or
- b. Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
- (1) A period of incapacity of more than three consecutive calendar days, and any subsequent treatment or period of incapacity related to the same condition, which also involves:
- (a) Treatment two or more times by, under the supervision of, or under orders of or on referral by, a health care provider; the first treatment being within seven (7) days of the onset of the condition and the second treatment generally being within thirty (30) days of the onset;

- (b) Treatment by a health care provider on at least one occasion within seven (7) days of the onset of the incapacity that results in a regimen of continuing treatment under the supervision of the health care provider.
 - (2) Any period of incapacity caused by pregnancy or for prenatal care.
 - (3) Any period of incapacity or treatment for such incapacity because of a chronic serious health condition. A chronic serious health condition is one which:
 - (a) requires periodic visits of at least three (3) visits per year for treatment by or under the direct supervision of a health care provider;
 - (b) continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - (c) may cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
 - (4) A period of incapacity that is permanent or long-term because of a condition for which treatment may not be effective but for which the employee or family member is under the continuing supervision of, but need not be receiving active treatment by, a health care provider (e.g., Alzheimer's, a severe stroke, terminal cancer, etc.).
 - (5) Any period of absence to receive multiple treatments (including any period of recovery there from) by, under orders of, or on referral by a health care provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment (e.g., radiation for cancer, dialysis for kidney disease, etc.).
5. A "qualifying exigency" referenced in section 3(e), above, refers to the following circumstances:
- a. Short-notice deployment: to address issues arising when the notification of a call or order to active duty is seven (7) days or less from the date of deployment;
 - b. Military events and related activities: to attend official military events or family assistance programs or briefings;
 - c. Childcare and school activities: for qualifying childcare and school related reasons for a child, legal ward or stepchild of a covered military member;

- d. Financial and legal arrangements: to make or update financial or legal affairs to address the absence of a covered military member;
 - e. Counseling: to attend counseling provided by someone other than a health care provider for oneself, for the covered military member, or child, legal ward, or stepchild of the covered military member;
 - f. Rest and recuperation: to spend up to five (5) days for each period in which a covered military member is on a short-term rest leave during a period of deployment;
 - g. Post-deployment activities: to attend official ceremonies or programs sponsored by the military for up to 90 days after a covered military member's active duty terminates or to address issues arising from the death of a covered military member while on active duty;
 - h. Additional activities: for other events where Erskine and the employee agree on the type, time, and duration of the leave.
6. Employee Notice Requirements

An employee needing leave is required to provide Erskine with notice of the need for leave. The employee must provide Human Resources with the reasons for the needed leave so as to allow Erskine to determine that the reason for the leave is for an FMLA-qualifying reason. If the employee fails to explain the reason, leave may be denied. Notice should include enough information to make Erskine aware that the employee needs FMLA-qualifying leave, as well as the anticipated timing and duration of the leave. An employee's failure to provide timely notice may result in a delay in or a denial of the leave and/or cause the absence to be considered as unexcused, which subjects the employee to disciplinary action up to and including termination.

The employee should provide as much advance notice as possible so that Erskine can make appropriate arrangements to cover any work that needs to be performed in the employee's absence. The employee is also responsible for complying with any rules regarding the reporting of absences. The minimum amount of required notice under the FMLA is as follows:

When the need for leave is foreseeable, (an expected birth, placement for adoption or foster care, or planned medical treatment of the employee or the employee's spouse, child or parent, or due to active duty of an immediate family member), the employee must provide at least thirty days' advance notice.

If thirty days' notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances or a medical emergency, notice must be given as soon as is practicable, ordinarily within one or two business days of when the need for leave becomes known to the employee. Employees generally must contact the immediate supervisor. If the dates of leave are originally unknown or if the dates of scheduled leave change or are extended, the employee is likewise responsible for giving notice as soon as is practicable.

If the approximate timing for leave is not foreseeable, an employee should give notice to Erskine of the need for FMLA leave as soon as is practicable, ordinarily within one or two working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Employees generally must contact the immediate supervisor.

Special rules apply when the employee fails to give advance notice of the need for leave and the employer does not learn of the reason for the absence until the employee's return (e.g., where the employee was absent for only a brief period). In such circumstances, if the employer does not designate the leave as FMLA leave and the employee desires it to be counted as FMLA leave, the employee must, within two business days after returning to work, notify Erskine that the leave was for an FMLA reason. In the absence of such timely notification by the employee, the employee may not subsequently assert FMLA protections for the absence.

An employee taking FMLA leave is required to report periodically on his/her intent to return to work. If an employee needs leave beyond the anticipated date originally provided for the ending of such leave, the employee must provide reasonable notice as soon as possible and no later than within two business days after learning of the need for an extension of the leave. The employee is also responsible for complying with any Erskine rules regarding the reporting of absences. If the employee is able to return to work earlier than expected, the employee must provide reasonable notice as soon as possible and no later than two days' notice from when the employee learns that he or she will be able to return to work earlier than expected.

If the employee gives unequivocal notice of intent NOT to return to work, the employee's employment is terminated, and the employee's entitlement to reinstatement and health benefits (subject to certain requirements) ceases. Also, the employee may be required to reimburse Erskine for all premiums paid for health benefits, to the fullest extent provided by law.

7. Medical Certifications

- a. An employee who requests leave (1) to care for the employee's spouse, child or parent, or (2) because of the employee's own serious health condition or disability must furnish certification issued by the health care provider. In certain circumstances, Erskine may request a second opinion. When the leave is foreseeable and at least a 30-day notice has been provided, the employee should provide the medical certification before the leave begins. When this is not possible, the employee must provide the certification to Erskine within fifteen (15) days after the employee is notified by Erskine of the requirement to submit the certification, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good-faith efforts, in which case the certification must be provided as soon as is reasonably possible under the particular facts and circumstances.
- b. A medical certification form may be obtained from the Human Resources Office.

- c. In the case of foreseeable leave, failure to submit a required medical certification within the 15-day period may result in a delay or in a denial of leave until the certification is provided and may cause the employee's absence to be considered as unexcused, which may subject the employee to disciplinary action, up to and including discharge. In the case of leave that is not foreseeable, failure to provide a required medical certification within 15 days after the employee is notified of the requirement to submit the certification or within a reasonable time under the pertinent circumstances may result in a delay in or denial of the employee's continuation of FMLA leave and may cause the absence to be considered as unexcused, which may subject the employee to disciplinary action up to and including discharge. If the employee does not produce the certification, the leave may not be FMLA leave. If the medical certification form is incomplete or insufficient, an employee will be given written notification of the information needed and will have seven (7) days after receiving such written notice to provide the necessary information. Once Erskine has fully completed sufficient certifications and documentation, it will notify the employee of whether FMLA leave is being granted.
- d. In the event that intermittent leave or a reduced-schedule leave is medically necessary, the employee must submit, in addition to the certification and notice above, certification from the health care provider of the medical necessity of such leave or that the leave is necessary to care for the seriously ill family member and the duration and schedule of the intermittent or reduced-schedule leave.
- e. Recertification of the employee's or family member's medical condition may be required: (1) if the employee makes a request for an extension of leave; (2) at any time Erskine receives information that casts doubt upon the continuing validity of the original certification; or (3) if circumstances described by the previous certificate have changed significantly. Erskine may also request recertification once every six (6) months when FMLA leave is taken for any serious health condition that lasts longer than one (1) year. Additionally, for any conditions or situations lasting greater than one (1) year, the employee will be required to renew this request for FMLA leave and eligibility determination decisions will be required. In these situations, an employee will have fifteen (15) days in which to provide, at the employee's expense, a completed request for recertification. Forms for recertification may be obtained from the Director of Human Resources. Failure to provide a required medical recertification within 15 days after the employee is notified of the requirement to submit the recertification or within a reasonable time under the pertinent circumstances may result in a delay in or denial of the employee's continuation of FMLA leave and may cause the absence to be considered as unexcused, which may subject the employee to disciplinary action up to and including discharge. If the employee does not produce the recertification, the leave may not be FMLA leave.
- f. When an employee fails to return to work because of the continuation, recurrence or onset of a serious health condition or disability that would entitle

the employee to leave under this policy, Erskine may require medical recertification of such continuation or recurrence.

- g. An employee on leave due to his/her own serious health condition must submit certification from the health care provider that he or she is fit for duty and able to perform the essential functions of his/her position, with or without reasonable accommodations, prior to being restored to employment. This certification need only be a simple statement of the employee's ability to return to work. Failure to provide the requested certification may result in delay of the employee's return to work until the certification is provided or possible disciplinary action under Erskine's attendance policy.

8. How Leave May be Taken

Leave may be taken on a continuous basis (that is, a certain number of days or weeks in a row). Additionally, for leaves involving serious health conditions, leaves may also be taken on an intermittent basis (that is, leave taken in separate blocks of time due to a single qualifying reason) or on a reduced schedule basis (that is, a leave schedule that reduces the usual number of hours per workweek or hours per day) when medically necessary. An employee requesting intermittent leave or leave on a reduced schedule must fulfill all of the obligations that are described in this policy (for example, the advance notice requirements, request for leave of absence forms, medical certification, etc.). The employee must also advise Erskine of the reasons the intermittent/reduced schedule is medically necessary and of the schedule for treatment, if applicable. The employee and his/her supervisor must then attempt to work out a schedule that meets the employee's needs without unduly disrupting Erskine's operations, subject to the approval of the health care provider. During intermittent leave, an employee may be assigned to an alternative position for which the employee is qualified and which better accommodates periods of recurring leave with pay and benefits equivalent to the employee's position at the beginning of FMLA leave.

Likewise, whenever the employee requests leave for planned medical treatment (whether on an intermittent, reduced schedule, or continuous basis), the employee must consult with his/her supervisor and make a reasonable effort to schedule the leave so as not to unduly disrupt operations, subject to the approval of the health care provider. Employees are ordinarily expected to consult with their supervisors prior to the scheduling of treatment in order to work out a treatment schedule which best meets the needs of both Erskine and the employee.

Erskine may require an employee to furnish a fitness-for-duty certification up to once every 30 days if an employee has used intermittent, reduced schedule, or block leave during the 30-day period for their own serious health condition and if reasonable safety concerns exist regarding the employee's ability to perform his/her duties based on the serious health condition for which the employee took such leave.

9. Pay While on Leave

The FMLA does not require the leave to be paid. Employees are required to use available paid leave (including vacation, sick leave, personal leave, short-term or long-term disability, and workers' compensation leave, if applicable) for FMLA leave, which

could otherwise be unpaid. Should the employee exhaust his/her paid leave, the remainder of the 12 weeks is treated as unpaid leave.

10. Benefits While on Leave

- a. An employee is not paid during any period of absence covered by this policy, except insofar as he or she is using available paid leave, as described above. The use of available paid leave will not increase the amount of the FMLA leave available. Furthermore, when leave is unpaid, no benefits except group health insurance continue while an employee is on any type of unpaid leave of absence. Erskine maintains the employee's medical insurance coverage in any "group health plan" at the level and under the conditions that coverage would have been provided if the employee had continued working and not taken leave. It is the employee's responsibility to make any payments during any unpaid leave of absence that were handled by payroll deductions. Employees should send payments to the Director of Human Resources no later than the fifteenth of each month. Failure by the employee to make payments may result in cancellation of coverage.
- b. Erskine may recover all health care premiums paid during a period of leave if the employee fails to return to work after the leave expires, unless the reason the employee fails to return is due to:
 - (1) The continuation, recurrence or onset of a serious health condition or disability that would entitle the employee to leave under this policy and/or
 - (2) Other circumstances excluded on an individual basis.

11. Employment Upon Return

If an employee is returning from FMLA leave, the employee should notify Erskine as soon as possible of his/her definite date of return. Generally, subject to certain exceptions under the law, upon return to work from FMLA leave, an employee is returned to his/her former position if it is still available. If the former position is no longer available, Erskine will provide the employee with an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, to the extent that one is available.

Erskine is not required to offer key employees reinstatement to a similar position following the end of their leave. One's status as a key employee is determined by law. Questions regarding the definition of a "key employee" should be directed to the Director of Human Resources.

12. Non-discrimination/Non-retaliation Policy Statement

Erskine does not: (1) interfere with, restrain, or deny the exercise of any right the FMLA; (2) discharge or discriminate against any person for opposing any practice made unlawful by the FMLA; or (3) discharge or discriminate against any person for his/her involvement in any proceeding under or relating to the FMLA.

13. Contact Person

Employees with questions about their rights and obligations under the FMLA are encouraged to contact the Director of Human Resources.

Military Leave

Erskine recognizes the need for military services as essential for the strength and protection of our nation and liberty. Erskine recognizes and supports employees who are in America's armed forces through its policies and procedures. However, the employee will not be paid by Erskine during active duty service. This policy is meant to summarize the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA") and any conflicts between this policy and USERRA are unintended and will not be enforced.

In compliance with the Uniformed Services Employment and Re-Employment Rights Act of 1994, a military leave of absence must be granted to employees, regular full-time or regular part-time who are members of, or have an obligation to perform services in, a uniformed service that necessitates an absence from their position of employment.

Eligibility for Re-Employment

To qualify for re-employment, an employee must meet the following requirements:

- 1) The cumulative leave of absence for the employee called to uniform service may not exceed five (5) years with the exception of certain extensions for training, involuntary active duty, and initial periods of obligated service associated with high technology operations; and
- 2) The employee must satisfactorily complete the period of active duty and furnish a discharge certificate to that effect.

Applications for Re-Employment

Application for re-employment must be made as follows:

- 1) For service less than 31 days, a person must report to the employer at the beginning of the first scheduled working day following completion of service. If reporting within this time period is impossible or unreasonable through no fault of the employee, he or she must report as soon as possible after the expiration of this period.
- 2) For service of more than 30 days but less than 181 days, a person must submit an application or request for re-employment not later than 14 days following completion of service.
- 3) For service of more than 180 days, a person must submit an application or request no later than 90 days after completion of service.
- 4) A person must submit an application for re-employment no later than two (2) years after a hospitalization from an injury by active duty. The two-year period is extended by the minimum time required to accommodate the circumstances beyond the employee's control that make reporting within the time limits impossible or unreasonable.

A change in the employer's circumstances which makes it impossible or unreasonable to re-employ the employee will waive the duty for re-employment.

Upon request, the person must provide the employer with documentation that establishes the timeliness of the application for re-employment and length and character of service. If the documentation is unavailable at the time of request, the employer must re-employ the individual until the documentation becomes available.

Rights after Reinstatement

The employee who takes military leave of absence and is re-employed is entitled to:

1. Position

For service less than 91 days, a person is entitled to:

- 1) The position in which the person would have been employed if he or she had been continuously employed, if the person is qualified to perform those job duties, or
- 2) If the employee is not qualified for the job, then the position in which the person was employed on the date of commencement of service.

For service more than 90 days, a person is entitled to:

- 1) The employee must be re-employed in the same position provided the employee is qualified to perform the duties of the job;
- 2) In a position the employee would have been employed in but for the interruption in employment due to uniformed service; or
- 3) A position of like seniority, status, and pay.

If a person is not qualified for any such positions due to a disability incurred in or aggravated during such service (after reasonable efforts to accommodate the disability), the person must be re-employed:

- 1) In any other position which is equivalent in seniority, status, and pay, the duties of which the person is qualified to perform or would become qualified to perform with reasonable efforts by the employer, or in a position that is equivalent in terms of seniority, status, and pay; or
- 2) If not qualified for any of these positions, he or she must be employed in any position of lesser status and pay which the person is qualified to perform, with full seniority.

Benefits

The employee who takes military leave and is re-employed is entitled to:

- 1) The same seniority, status, and pay he or she would have had if he or she had not been absent due to military service, and
- 2) Other benefits determined by seniority that the employee had at the beginning of uniformed service, plus any additional seniority and

benefits the person would have attained if continuously employed (excluding new vacation and sick time accruals during the leave).

Duration of Rights

The re-employed Veteran may not be discharged, except for cause:

1. within one (1) year if the period of service was more than 180 days, or
2. within six (6) months if the period of service was more than 30 days but less than 181 days.

Group Medical and Life Insurance Coverage

Erskine health and life insurance plans are required to be offered continuously to employees who enter military service or their families for a period up to 18 months. The law states that the health plan may not require the employee to pay more than the employee's share for the coverage if the period of military service does not exceed 31 days. If beyond the 31 days, the employee may be required to pay not more than 102 percent of the full premium under the plan. Erskine's policy is to allow employees to continue coverage on the existing plan as compared with other leaves. Furthermore, all persons (family members) who have coverage must be reinstated pursuant to the policies or practices relating to employees returning from military leaves in effect at the time the employee began military leave.

Pension/Retirement Plans

No break in service will be considered to have occurred due to military service, and no forfeiture of benefits already accrued will be allowed. There will be no necessity to re-qualify for participation in the pension plan by reason of military absence. If an employee is reemployed by Erskine after completing military service, he or she will be entitled to receive certain make-up contributions provided that the employee elects to make the appropriate employee catch-up contribution. Service members will have up to three times the period of service to make missed contributions. Employees should contact Human Resources or the Business Office for specifics.

Vacation Pay

Upon leaving for military duty, the employee may, upon request, be permitted to use any vacation, annual, or similar (excluding sick leave) leave with pay accrued prior to the leave. During the leave, no new sick time or vacation time will accrue.

Active Duty in National Guard and Reserves

Erskine recognizes the National Guard and Reserves as essential to the strength and protection of our nation and liberty. Erskine recognizes and supports employees who are in the National Guard and Reserves through its policies and procedures. Erskine realizes those who serve will be required to attend military training from time-to-time and that they will be called upon for temporary duty in emergency situations. Employees should read the "qualifying exigencies" section of the FMLA policy, which may apply.

Employees are required to notify their department supervisor in advance of a requirement to attend and provide dates and documentation as requested.

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In the event of emergency call-up, the employee is required to notify his/her Vice President immediately. Vice Presidents are then required to notify Human Resources.

An employee's job and job opportunities will not be reduced or limited due to his/her service.

Full-time employees required by federal regulations to attend training sessions, drills, or temporary duty are entitled to a leave of absence from their respective duties without loss of pay, time, or position for one or more periods not exceeding fifteen (15) working days per year.

Erskine will compensate the employee for the difference between the amount of regular pay for the time missed and the pay received for active duty or training provided the latter is the lesser of the two amounts and the cumulative time does not exceed fifteen (15) of the employee's normal working days per year. In the event the employee is compensated, the employee must provide documentation of dates and service and compensation received.

In the event that an employee is called to serve duty extending beyond fifteen (15) days per year, the employee will be placed on leave without pay, unless the employee elects to use accrued paid leave, and the employee should contact Human Resource concerning benefits.

Sabbatical Leaves

Sabbatical leaves are generally available for faculty employees only. Faculty employees should refer to the respective *Faculty Handbook* regarding details of the policy and eligibility requirements.

On a limited basis, the President or his designee may approve an administrative (non-faculty) sabbatical leave. Details regarding such administrative sabbatical leaves will be determined on a case-by-case basis by mutual agreement.

Safety

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General Safety

Erskine seeks to maintain a safe place that is conducive to working and learning. As part of each employee's job, each employee shares in this responsibility to ensure a safe work place. Being aware and using good judgment can help ensure a safe working environment.

Work-related employee injuries may mean a financial loss to the employee. Having safety awareness, using common sense, and observing safety rules will help prevent such injuries. Employees should report any unsafe conditions or—suspicious persons or activities immediately.

Unsafe working conditions report to:

Facilities or

Kathy Busby
(864) 379-8810

Busby-Kathy@aramark.com

Human Resources
Barbara Peck, Director
(864) 379-6546

peck@erskine.edu

Suspicious persons, suspicious activities, or crimes report to:

Erskine Police Department

Randy Estep

Emergency: 911

Office: (864) 379-8869 or (864) 378-1650

estep@erskine.edu

Work related injuries report

Human Resources

Barbara Peck, Director

(864) 379-6546

peck@erskine.edu

If unsure where to report, contact Human Resources.

Reporting an Injury/Accident

If an injury/accident occurs on the job, an employee should follow **ALL** of the procedures as outlined below:

1. **Immediately** report the injury or accident to one's supervisor and receive help as the situation warrants. The supervisor will complete an ***Accident/Injury Report Form***.
2. Should the employee need to seek medical treatment, his/her supervisor should contact Human Resources for Authorization for treatment.
3. The treating physician should complete the ***Authorization for Treatment Form***, which the injured employee should return to his/her supervisor immediately after medical treatment. This form will let the employee's supervisor know if the employee is able to return to work and will also specify any limitations imposed.

Other work-related illnesses should be reported to one's supervisor as soon as the illness occurs.

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Workers' Compensation

All employees are covered by Workers' Compensation insurance in accordance with the Workers' Compensation Laws of the State of South Carolina. The law provides for medical payments and income when injuries, accidents, illnesses arising out of, and in the course of employment occur. Employees are required to report all work-related injuries and illnesses, regardless of severity, **immediately** to their respective supervisors who are required to notify Human Resources for proper reporting. Any delay in reporting could cause delay in payments and make it difficult to validate the claim.

Communicable Diseases

Erskine is concerned about the health of all members of the Erskine community and, therefore, wants to protect individuals from the spread of communicable diseases. In order to help protect the health of community members, Erskine intends to implement the rules and regulations of the South Carolina Department of Health and Environmental Control regarding communicable diseases. Further, Erskine intends to follow the requirements of applicable law to protect information regarding the health status of its employees.

Drug Free Workplace Act

The Drug Free Schools and Communities Act Amendments of 1989 require all schools and Erskine to adopt and implement a drug prevention program for their students and employees. As a part of this program, Erskine is required to distribute annually a statement detailing standards of conduct, a description of applicable legal sanctions, a description of health risks, available counseling, and disciplinary sanctions which may be imposed as they relate to the use of illicit or illegal drugs and the abuse of alcohol. This statement will be made available to all employees.

No part of this policy, or any of the procedures hereunder, is intended to limit Erskine's ability to manage its workplace or to discipline its employees. No part of this policy or any of these procedures is a guarantee of employment, continued employment, or terms or conditions of employment.

As required by the Federal Drug-Free Workplace Act of 1988, Erskine employees convicted of a criminal drug violation occurring while conducting Erskine business, on or off Erskine's premises, must report the conviction to Erskine within five (5) days of the conviction. As set forth in the Workplace Act, Erskine also requires an employee to report any arrest or conviction involving a violation of drug or alcohol laws before reporting back to work.

Drug or Substance-Abuse Testing

Erskine may (but is not obligated to) require employees to be tested for drugs or alcohol under certain conditions. Drug testing may be by urinalysis or another appropriate method. Alcohol testing may be an evidential breath-testing device or another appropriate method.

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At present, testing may be required in cases of reasonable suspicion, after a workplace or job-related accident (including automobile accidents), and before return to duty after suspension or leave for alcohol or substance abuse.

Reasonable Suspicion Testing

An employee may be tested when, in Erskine's opinion, there is reasonable cause to suspect that the employee's behavior, performance, error in judgment, accident or incident, or other unsafe action while working may be related to substance abuse or that the employee has otherwise violated this policy. Erskine is not obligated to conduct a test in such circumstances and may elect to discipline an employee who reports to work under the influence of alcohol or illegal drugs by suspension with or without pay, by immediate termination, or in another manner whenever Erskine, in its sole judgment, deems it appropriate to do so.

Post-Accident or Incident Testing

An employee may be tested if: (1) the employee suffers an on-the-job injury (requiring treatment from a doctor or other medical provider); or (2) causes injury to a fellow employee (requiring treatment from a doctor or other medical provider); or (3) where an injury may have been caused in whole or in part by the employee's failure to wear required personal protective equipment. Any incident that involves either an on-duty employee or an off-duty employee in an Erskine vehicle and that causes a total aggregate property damage of \$1,000 or more may be cause for testing.

Return-to-Duty Testing

An employee, who in the sole discretion of Erskine is allowed to be reinstated following an absence from work for an extended period of time or completion of a drug/alcohol treatment or counseling program, may be required to pass a drug test upon his/her return to work.

Responsibility of Employees to Report

Any employee who suspects that a co-worker may be under the influence of a substance that impairs performance or may cause an injury (to one's self or others) should immediately notify his/her supervisor or some other member of management in order that the employee suspected of being impaired may be observed and evaluated by management.

Erskine Police Department (Campus Police Officers)

Erskine employs two Campus Police officers who are supported by the Due West Police Department to provide 24-hour campus surveillance. Erskine seeks to provide an environment where students, faculty, staff, and visitors are protected from harassment and injury.

Campus Police Officers practice numerous measures to prevent crime such as:

1. Campus Police Officers employed by Erskine are certified class 1 law enforcement officers who are commissioned by the Governor as State Constables.
2. The Due West Police Department provides supplemental assistance during the times when Erskine's Campus Police officers are not on duty.
3. The Due West Rescue Squad and the nurse employed by Erskine provide the basic health service aided by Erskine's physician.
4. Erskine Campus Police Officers have radio contact with the Town of Due West Police Department as well as with the County's Sheriff's Department dispatcher and 911.

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5. Physical barriers and signs have been constructed to deter would-be criminals.
6. Extensive exterior lighting covers much of the campus.
7. The non-resident campus buildings are normally locked during periods when they are not occupied, and residence halls are locked all the time.
8. The campus is patrolled by vehicle, bike, and on foot by the Campus Police Officers and/or Due West Police Department.
9. Upon request and whenever possible, student, faculty and staff members will be escorted to and from their vehicles during the evening hours. To arrange an escort, one may contact Erskine Campus Police at (864) 378-1650. If unavailable, one should contact the Due West Police Department at (864) 379-2150.

Visitors or unescorted individuals may be greeted by Campus Police Officers and have assistance provided if they have business on the campus. Individuals who have no reason to be on the campus will be escorted off the premises.

Jeanne Clery Act

The "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, **as amended through 2008**" commonly referred to as the "Clery Act," requires institutions of higher education receiving federal financial aid to report specified crime statistics on college campuses and to provide other safety and crime information to current students and employees and prospective students and employees. This report is available to everyone. Erskine's report may be obtained by accessing the Erskine website at www.erskine.edu and clicking on the Campus **Police** Section. The report contains topics such as Access to Campus Facilities, Alcohol & Drug Laws and Policy, Crime Reporting, Crime Statistics & Crime Prevention suggestions, and the Sexual Assault Policy. Paper copies of the report may be obtained from the Erskine Police Department or the Office of Institutional Research.

Emergency Procedures

Emergency preparedness is essential for the protection of lives and the property of Erskine. An effective emergency program demonstrates a full awareness of individual responsibilities, realization of the seriousness of the problem, and recognition of the need for a workable plan, response, and recovery. Possible emergencies include inclement weather, bomb threats, fire, serious illness or injury, hazardous accidents, utility emergencies, disturbances or demonstrations, and nuclear or biological emergencies. This plan is prepared with the assistance of the Abbeville County Emergency Preparedness Agency, the South Carolina Emergency Preparedness Division, Abbeville County Emergency Notification System and the Erskine Police Department.

The purpose of these procedures is to facilitate the orderly operation of Erskine in a disaster or serious emergency and the return to normal operations. No single disaster plan can meet all of the needs of each emergency, but through cooperative efforts of all departments and the assistance of necessary outside agencies, this plan can be a guide to this objective.

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Emergency Notification System (CODERED)

The Erskine College emergency notification system - CODERED- is a way for the College to send email and text messages to employees and students during an emergency or to provide employees and students with other time sensitive and critical information. The benefits of this service and its immediacy and direct access to members of the College community through multiple points of contact.

Faculty and staff members may update their information by contacting:

*Please provide your cell number and carrier
Jennifer Cooley, Assistant to the Chief of Police
jcooley@erskine.edu
864-379-6514

The town of Due West has implemented a Town Siren and the protocol for this system is listed on page S-18.

Administration of Declaration of a Disaster

The Erskine President has the authority to declare a state of emergency, and he or she will initiate the emergency plan. In his/her absence, this procedure would be implemented by the Senior Vice President for Academic Affairs. If contact with either of the above is impossible, any administrative officer on the Vice Presidential level may implement the plan. Immediately upon such declaration and initiation, an employee will be assigned to notify other administrative officers and department heads on the emergency notification list (Appendix C).

Organization of Control Center

Depending on the nature of the emergency, the Facilities Management Department will normally be the Control Center. If the Facilities Management Department is incapacitated, the Belk Hall office area will be the alternate Control Center.

Communications

On-campus and off-campus telephone lines are available at the primary Control Center. Two-way radio and/or paging communications are permanently established at the primary Control Center. If the alternative location is designated as the Control Center, the Facilities Management Department will be responsible for equipping that location with portable battery-operated radio communications or equipping the Control Center with the same in case of power failure.

The Erskine Police Department will immediately establish and maintain radio communications through the police and/or emergency communications system with local police, the sheriff's department, state patrol, and other emergency agencies.

Erskine's one-way paging system and two-way communications system should be utilized to contact facility management employees, who in turn will notify persons in certain areas about an emergency. The two-way communication equipment will be reassigned in order that essential administrative officers will have the use of radio communication.

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Severe Weather - Thunderstorms

Public warnings are received via text, email, radio, television, and weather monitors. During regular operating hours (7:30 A.M. until 4:00 P.M., Monday-Friday), Facilities Management personnel will monitor the weather and advise campus personnel regarding impending dangerous thunderstorms. The Emergency Notification System will also be used to alert employees of severe weather situations.

Severe Weather – Snowstorms

1. Public warnings are issued by the Weather Bureau through the Office of Emergency Preparedness and radio/television media when a blizzard is anticipated.
2. Snow tires should be installed or chains made ready for installation on Campus Police vehicles or other vehicles as needed.
3. Essential employees should be notified of any contingency plans for emergency transportation and what telephone number to call if transportation is needed to get to work.
4. For information regarding school closings and schedules, please refer to the Hazardous Weather Policy contained herein.

Severe Weather – Tornadoes

The town of Due West has implemented a Town Siren and the protocol for this system is listed on page S-18. Listed below is the policy for Erskine.

1. A tornado watch is a forecast of the possibility of tornadoes in a large area. Normal activities should continue and the following precautions should be taken:
 - a. Upon receiving notification of a tornado watch through the established warning system, weather monitor, or police emergency communications, the administrative offices and others on the Severe Weather Notification List (See Appendix D) should be alerted to the situation by the Erskine Police Department and/or the Facilities Management Department.
 - b. The emergency weather monitor or local radio station should be monitored constantly by the Erskine Police Department and/or the Facilities Management Department. The Department of Erskine Police Department shall maintain radio contact with Abbeville 911.
2. A tornado warning means that a tornado has been sighted, is imminent and may be approaching.
 - a. Campus Police patrol cars or The Town of Due West Police Patrol cars should warn those on the grounds by means of public address warning and siren.
 - b. Emergency weather monitors or radio stations should continue to be monitored by the Facilities Management Department and through 911 by the Erskine Police Department.
 - c. Facilities Management personnel, dormitory Resident Directors, Student Life Assistants and Campus Police Officer's should unlock any shelter areas as needed. (See Appendix B).

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- d. The Campus Police Officers and Facilities Management should continue to monitor weather conditions visually, especially watching the south and west.
 - e. All persons in classroom buildings or in other college buildings should proceed to take shelter in an interior hallway on the lowest floor and away from glassed areas and areas with a wide, free space overhead. (See Appendix B).
 - f. Professors, Resident Directors, Building Coordinators, and others with supervision responsibility for students, other workers, or buildings shall be informed at the beginning of each academic year about their responsibilities for tornado procedures.
3. The “all clear” signal should be received by monitoring weather monitors, local radio stations, television, and through Erskine severe weather notification system (two-way radio and telephone communications). The Emergency Notification System may also be used.

Bomb Threats

Bomb threat calls are normally received by switchboard operators or receptionists; therefore, these people should be thoroughly familiar with the following procedures.

Often, there are two explanations for someone’s calling to report that a bomb is to go off in a particular building.

- a. The caller has definite knowledge or has reason to believe that an explosive or incendiary device has or will be placed, and they want to minimize personal injury or property damage, or
- b. The caller wants to create an atmosphere of anxiety and panic in the activities and routines at the institution where the device is reportedly located.

Receiving the Call:

1. When the caller has communicated the threat, the employee receiving the call should stay calm and not panic. Record the time of day.
2. Keep the caller talking; the more he or she says, the more you can learn. Record every word that the caller says.
3. If the caller does not indicate the location of the bomb and the time of detonation, attempt to gain this information from the caller.
4. Inform the caller that the building is occupied, and the detonation of the bomb could result in the death of innocent people. Try to reason with the person.
5. Listen closely to the voice of the caller to note the following: age, sex, race, accent or speech impediment, and whether the caller sounds drunk, excited, etc....
6. Pay particular attention to any strange background noises, such as street noises, motors, TV or radio programs, or anything that may assist law enforcement agencies in determining the origin of the call.
7. Notify the Erskine Campus Police and the Senior Vice President for Finance and Operations of the call as soon as the person hangs up, then notify your

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- department head. The person receiving the call should not discuss the call with anyone else, and the receiver of the call should not spread information.
8. Wait for Erskine Campus Police and any other law enforcement agencies to arrive so that they may talk with the receiver of the call.

Fires

In case of visible flame or smoke in the building, pull the local fire alarm. If there is not an operable fire alarm in the building, shout down the halls, "Fire!" and call 911. If an employee discovers a small outdoor fire, such as a dumpster, trash container, etc., call 911. In case of a building fire, the Facilities Management Department should dispatch personnel to the fire scene under the direction of the senior Due West Fire officer to cut off or locate gas valves and electrical switches. A Campus Police Officer should assist if no Facilities Management Department employee is present.

Smoke Smell

When in doubt about any possible emergency, call 911 so that they can dispatch the nearest police officer on duty.

In case of a fire involving extensive property damage or serious personal injury, the Facilities Management secretary should be assigned to make phone calls to personnel listed on the notifications list (Appendix C).

Serious Injury or Illness

In case of serious injury or illness on campus, phone the Abbeville Emergency Control Center at 911. When calling, specify the number of people injured and their location. Stay at the scene until Emergency Medical Service (EMS) technicians and/or the Campus Police or other local law enforcement personnel arrive.

If the injured or sick victim is enrolled as a student at Erskine, the Vice President for Student Development should be notified, whether the accident occurs on or off the campus. If unable to contact the Vice President for Student Development or the Dean of Students, notify the Campus Police, who will contact the appropriate person(s). The Vice President of Student Development or his/her designee should notify the Athletic Training Department if the injured student is a student athlete. If the victim is an Erskine employee, the employee's department head as well as Human Resources should be notified.

The Student Development Office should be notified when serious illness, injury, or death is reported in a student's family. The Office of Student Development will notify administrators, the Chaplain, faculty, and the Public Relations Office of the situation if a student or a student's family is involved.

If an employee is involved, notice will be given to OSHA agencies as required by law.

Hazardous Accidents

Any natural disaster may have consequential side effects which threaten lives and/or property. Warning of a hazardous accident is usually received from the fire or police department or from emergency preparedness officials when such an accident or condition occurs sufficiently near all or part of the campus. Examples of such accidents are: an overturned tanker, a broken

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fuel line, and/or an accident in a commercial establishment that uses chemicals are potential hazards if such accidents occur near the campus or if the wind is such that it will carry fumes from these accidents to the campus. The science department will conduct seminars on the proper handling of dangerous substances used by the department in classrooms or labs. Both the Biology and Chemistry departments have a designated professor in charge of the management of dangerous substances, and this professor should be consulted in the event of problems or questions.

In the event of a hazardous accident:

1. Notify the Erskine Campus Police and the Facilities Management Department to assist in unlocking shelter buildings, if necessary, and to be in radio contact with emergency services as needed.
2. Determine the need to evacuate all or part of the campus.
3. If it is necessary to evacuate or move to another location, move crosswind, never directly with or against the wind which may be carrying the fumes.
4. Qualified persons should be ready to render first aid, as necessary.

Power Failures

In case of electrical power failure, Monday through Friday from 7:30 A.M. until 4:00 P.M., notify the Facilities Management Department. After hours or on weekends and holidays, notify the Erskine Police Department through the dispatch at 911 or the Facilities Management Department employee on duty. The name of the person on duty can be obtained by calling (864) 379-8810 and listening to message.

Resident Directors or Student Life Assistants are requested to station someone at all entrances during power failures occurring at night.

Gas Leaks or Smell

In case of a gas smell or leak in or near a building, notify the Facilities Management Department at (864) 379-8810. If the Facilities Management Department office is not open, contact the Campus Police Officer on duty by calling 911.

Demonstrations

Erskine recognizes the right of students to demonstrate peaceably; however, demonstrations must be registered with the Office of Student Development. The Dean of Student Development and Campus Police Chief should be notified of any demonstration to ensure the safety of Erskine students and Erskine property.

Disturbances

If it is determined that a situation is serious, a communications command point (CCP) should be established. The Campus Police Chief and/or the Vice President for Student Development will be in charge of the CCP and will make necessary administrative decisions. Law enforcement decisions are reserved for law enforcement officers.

The Chief of the Erskine Campus Police or his/her designee, in consultation with the Vice President of Student Development or other appropriate Vice President, should call in whatever

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available off duty or auxiliary personnel are believed necessary to ensure safety. The Chief should also alert the shift supervisor of the Due West Police Department to the situation for possible backup assistance. The Chief of the Erskine Campus Police will notify the Due West Police Chief if the situation warrants.

The Facilities Management Director may need to be notified by Campus Police to maintain personnel to handle emergency repairs, etc. Other appropriate administrators should be contacted by the Office of Student Development.

If additional law enforcement officers are needed, the Erskine Campus Police Chief will call the Abbeville County Sheriff, who may request assistance from the State Law Enforcement Division (SLED) or the Highway Patrol. If all of these departments are exhausted in manpower, the Sheriff may call the Governor to request the National Guard.

Nuclear/Biological Emergency

Everyone is exposed to the possibility of potential hazards extending from such influences as falling aircraft, radiological accidents, radioactive fallout, and bioterrorist attacks. Warnings should normally be received through police or emergency radio broadcasts, the Emergency Notification System and the Erskine Campus Police patrol car siren and/or public address system.

Upon notification from the Erskine President, or appropriate administrator in his/her absence, Facilities Management personnel, dorm Resident Directors and Student Life Assistants, and Campus Police should unlock shelter areas specified for nuclear fallout shelters. (See Appendix A).

In the event shelters are ordered open by the Erskine administration, the Student Development Office shall be responsible for providing shelter managers at each of the shelters being used in addition to providing available radio communications.

NOTE: Civil Defense Authorities will not request use of shelters except in case of nuclear emergency, and then only after approval from the Erskine administration.

Authority

The Abbeville County Council will be responsible for meeting the problems and dangers to the county and its residents resulting from disasters of any origin and may issue proclamations and regulations concerning disaster relief and related matters which, during an emergency, shall have the full force and effect of law.

Emergency Preparedness

All Building Coordinators within Erskine should develop emergency plans for each building. These plans should be on file in the Erskine Police Department and should be revised before each school year. Previous to adopting the plan, the following should be considered:

1. Evacuation routes should be mapped and posted.
2. Post all approved shelter areas.

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3. Establish and maintain a current list of all departmental employees, including home telephone numbers and street addresses.
4. Which employee may be needed for a call-back to duty in various types of emergencies.
5. The Campus Police, Facilities Management, Food Services, and Infirmary should keep emergency equipment readily available and maintain sufficient supplies and/or equipment to handle several days of emergency conditions. It should be realized that outside agencies and suppliers may not be able to assist for several days.

Education

Building Coordinators should educate employees who may be used in emergency situations.

They should be instructed:

1. As to safety precautions relating to the job and emergency situation.
2. To courteously refer news media to the President's Office.

Evacuation Plan

In the event evacuation of certain campus buildings or areas is necessary and a state of emergency has been declared by the President of Erskine or the appropriate administrative officer, the following procedures should be followed. These procedures are in addition to other appropriate procedures found in other Erskine announcements or publications:

1. If shelter areas or alternate housing is needed, Facilities Management personnel and the Campus Police should unlock shelter areas as designated by the administration at such time after damages are surveyed.
2. The Dean for Student Development should coordinate alternative housing and provide the Control Center with appropriate assignment and/or availability lists.
3. The Student Development Office shall be responsible for providing shelter managers at each of the shelters used in addition to radio communication portable units. One maintenance radio unit with necessary personnel should be stationed at the Control Center to communicate with each shelter area.
4. Public Relations personnel should notify news media as soon as possible of the incident and the extent of damages, injuries, etc. Anxiety and confusion are generally reduced when family and friends receive accurate news instead of escalating rumors.
5. Additionally the Campus Police Officers, maintenance personnel, and other personnel should be called in for duty as needed to perform required emergency duties.

APPENDIX A - Fallout Shelters

Approved Civil Defense Fallout Shelter areas rated by the South Carolina Emergency Preparedness Division.

- ** 1. Belk Hall - lower levels to the rear away from the exit door
- * 2. Grier and Pressley Dormitories - basement area
- ** 3. McCain Library - first floor area
- * 4. Kennedy Dormitory - basement area
- * 5. Bonner Dormitory - basement area
- * 6. Robinson Dormitory - basement area
- ** 7. Erskine Building - basement area (Hangar)
- * 8. Moss Facility-basement area

Note:

* Indicates shelters suggested as reserved for Erskine students, faculty, staff, employees, and families.

** Indicates shelters suggested as best to open to the public if needed and requested by the Civil Defense Agency.

APPENDIX B - Suggested Severe Weather Shelter Areas

Applied Art Building - center of building away from glass

Belk Hall - basement and first floor (hallway)

Bonner Dormitory - first floor hallways, basement

Bowie Art Center - classroom on first floor and storage area on first floor

Bowie Divinity Hall - basement and interior hallways on first floor

Daniel Moultrie Science Center- first floor corridors away from windows

Erskine Building - Hangar area and basement hallway

Galloway Center – lower level interior hallways and shower areas

Grier Dormitory - basement and interior hallways on first floor

Kennedy Dormitory - first floor corridors and basement

Literary Societies - center of buildings, basement if available

McCain Library - basement, away from the book stacks

McQuiston Dormitory - first floor corridors away from glass and the basement

Moss Facility/Memorial Hall - basement level

Moffatt Dining Hall - Watkins Student Center basement

President's Home - basement

Pressly Dormitory - basement and interior hallways on first floor

Reid Science Hall - basement

Resident Homes - center hallway away from windows and glass doors

Watkins Student Center/Snapper's - basement

Younts Infirmary - interior corridors away from windows - basement area

**** Note:** All Carnegie and Robinson residents are to evacuate to the Bonner basement during any tornado warnings.

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APPENDIX C - Emergency Notification List

(Essential personnel on call and subject to duty in the event of an emergency situation)

- President
- Senior Vice President for Academic Affairs
- Senior Vice President for Finance and Operations
- Vice Presidents for Advancement, Communications
- Dean of Student Development, Athletic Director, All Administrative Deans
- All Resident Directors
- All Building Coordinators
- Human Resources Director
- All HVAC/electrical/plumbing repair personnel; others may be requested by the Director of Facilities.
- Administrative support staff may be needed to staff Command Centers.

Every effort will be made to request help only from individuals whose family and personal property are secure.

All personnel will follow extreme caution insofar as dangerous situations are concerned. Of primary importance are the prevention of injury and the saving of lives.

The Senior Vice President for Finance and Operations and the Erskine Police Department will maintain the names and phone numbers of emergency personnel. The list will be posted in a prominent place in both of these offices.

APPENDIX D - Notification List for Tornado/Severe Thunderstorm Warnings

- President
- Senior Vice President for Academic Affairs
- Senior Vice President for Finance and Operations
- Vice Presidents for Student Development, Advancement, Communications
- The Dean of Students, Athletic Director, All Administrative Deans
- All Building Coordinators

** Tornado Warnings are notifications for evacuation.

** Tornado Watches and Severe Thunderstorm Warnings are for advisement.

Town of Due West-Emergency Siren Protocol

1) Activation? The siren will be activated when a Tornado Warning has been issued for Abbeville County by the National Weather Service (NWS) or is spotted by (Police, Fire or EMS) in Abbeville County or the Town of Due West. Activation controls are located in the Town's Police Department and at the Emergency Communications Center (911) for Abbeville County. The siren is only intended to warn individuals outside of any structure within the Town limits of Due West.

2) What will the siren alert sound like? The 15 hp Omni directional Siren will sound for 10 seconds on, then 4 seconds off, for 3 minutes. This fixed siren will sound for 100% of its full volume run time. Plus the 122 db siren will provide a 460 Hz tone, the lowest pitch in the industry, meaning its sound will fade at a lower rate than most sirens.

2) What Action should I Take?

Take cover immediately. Do not call Emergency Services Dispatch (911) to ask why the sirens are sounding! Tune to local cable TV, radio stations or NOAA All Hazard Weather Alert Radios for further instructions. You can also be alerted on your cell phone by signing up with the Abbeville County Citizen Alerting System.

(Citizen Web Portal Instructions are on the back page of this Protocol.)

3) Will There Be An All Clear Siren Sounded? An "all clear" signal will not be issued as it may be confusing to residents in the event of additional sightings and warnings. Most tornadoes will pass in approximately 20-25 minutes. If a second tornado approaches, the siren will be activated again.

4) When Will The Siren Be Tested? There will be monthly testing at 11:30am on the second Friday of the month, or as needed after repairs and maintenance. The Test activation will sound a steady siren for 7 seconds.

5) Where Is The Siren And What Color Is It? The siren is located centrally by the old town hall downtown. The new siren is not bright red but beige in color to blend into the background.

6) Important Terms! A Tornado Watch is issued when tornadoes are possible. Stay tuned to news or listen for the siren. A Tornado Warning is issued when a tornado has been sighted and the siren activated. Take shelter immediately. Do not rely solely on the siren for notification of a tornado. Always stay tuned to public weather radio and television. Observe the weather conditions yourself and react if need be.

Selected Business and Financial Policies

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Selected Business and Financial Policies

The following sections outline some basic expectations of employees dealing with Erskine-related business matters. This section does not attempt to cover all financial policies; rather, it outlines some of the most common situations employees may encounter. Employees are expected to use discretion and professional judgment in all business and financial-related concerns.

Financial policies and procedures may change over time. Consult the Business Office for current policies and procedures on financial matters including purchasing, accounts payable, Erskine credit cards, employee reimbursements, campus issued cell phones, and travel.

The institution is following a plan of strict financial management and institutional personnel should not expect the expenditure of funds in excess of budgeted amounts or for items which are not included in the budget. Overspending a budget is a **serious** matter; obligating the institution to resources, for which it has not prepared and/or may not possess, is strictly prohibited. Employees may be personally liable for overspending budgets over which they have responsibility.

Fiscal Year Policy

Erskine's fiscal year begins on July 1st and ends on June 30th of the following calendar year.

Purchasing

Authority for ordering or purchasing on behalf of Erskine is not automatic and will be limited in amount, nature, and timing based upon the annual operating budget. The respective Vice President responsible for one's area decides if an employee may purchase goods, services, or travel for Erskine, and, if so, to what extent. The Senior Vice President for Finance and Operations may require further information, procedures, or approvals.

It is the responsibility of the employee to become familiar with purchasing procedures and approval requirements.

Appropriate receipts (e.g., invoices, credit card slips, etc.) are required on all Erskine-related purchases. Pre-approval by the Business Office is required on **ALL** purchases **greater than \$10,000**, regardless of the method of payment, and should generally be requested via a purchase order form available through the Business Office. (For example, the fact that an employee may have an Erskine credit card with a limit high enough to make a purchase does not relieve him/her of the responsibility for getting the required approvals in advance.)

Employees may be required to reimburse Erskine for unauthorized or undocumented purchases and may be subject to other disciplinary action at the sole discretion of Erskine.

An employee should consult with his/her supervisor or the Business Office regarding authorized spending limits or the need for pre-approval.

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Approvals for Payment Processing

All requests for payments (invoices and check requests) must have proper signature approval before being processed by the Business Office. Director-level employees or Academic Department Chairs are permitted to approve expenditures up to, but not exceeding \$1,000, for their respective area. Expenditures in excess of \$1,000 require the respective Vice President's signature for approval and processing. Invoices and/or check requests submitted to the Business Office that do not have the appropriate signatures will be returned to the employee for correction.

Erskine Credit Cards

Each Vice President is responsible for his/her area and must approve, in writing, the issuance and limit of an Erskine credit card to employees within his/her responsibility center. Employees who are issued Erskine credit cards must read and sign a **Card User Agreement** outlining their responsibilities.

The issuance of a credit card does not eliminate the need to follow other Erskine policies, for example, policies on travel, pre-approval, and documentation. Employees must keep all credit card receipts and turn them in with the statement each month.

Billing Statements and Approval

A monthly credit card statement will be provided to each card holder by the 1st of each month through interoffice mail. The card holder is required to attach receipts for all purchases indicated on the statement, indicate the appropriate general ledger account number for recording the expense, obtain proper authorization signatures (see Approvals for Payment Processing above), and submit the complete package to the Business Office for processing no later than the 10th of each month. Credit card statements that are not submitted in a proper form will be returned to the card holder for correction.

All employee monthly credit card statements must have a supervisor's approval prior to final processing, regardless of the amount involved. Normal limits of approval apply by level within the organization.

In accordance with IRS regulations, employees are required to provide appropriate receipts and documentation for expenses (including meals – regardless if local or out of town) to include the date, place, amount, the names of people included in the charges, and the business purpose of the expense.

If the employee is a Vice President, the Senior Vice President for Finance and Operations will review and approve those documents. Random audits of the process may periodically occur, and sample credit card billing statements will be shared with the President, upon his request. All credit card statements that relate to the Senior Vice President for Finance and Operations must be submitted to the President for approval prior to final processing. A committee of the Board of Trustees will review

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and approve all credit card statements for the President.

Cell Phone Allowance

In certain positions for Erskine, cell phones can assist employees in improving customer service and to enhance one's job performance. The respective Vice President/Director will work with the Business Office to determine which positions have a business need for a cell phone allowance. An annual review will be conducted to determine if the existing allowance should be continued as is, changed, or discontinued. Erskine will pay the agreed upon allowance; however, if documented business reasons warrant an increase in the monthly allowance, the Vice President/Director will need to submit a cell phone change request to the Business Office.

Cell phone contracts will be in the name of the Erskine employee who will be solely responsible for all payments to their respective provider. Only one cell phone allowance will be provided per employee. Employees who receive this allowance agree to the release of the cell phone number for which the reimbursement is received. Employees who receive a cell phone allowance will sign a policy statement regarding cell phone use for business purposes.

Cell phones are not a personal benefit and shall not be a primary mode of communication, unless they are the most cost effective means to conduct Erskine business. Possessing cell phones is a privilege, and all employees are expected to use them responsibly. Misuse of a cell phone or the cell phone allowance may result in its revocation and possible employee disciplinary action and/or criminal charges.

Cell Phone Use While Driving

The primary responsibility of the driver is to operate a vehicle safely and obey all federal, state, and local laws and regulations accordingly. The task of driving requires full attention and focus. Cell phone use can distract drivers from this task, risking harm to themselves and to others. Therefore, the safest course of action is to refrain from using a cell phone while driving.

Federal Limitations on Advocacy by Tax Exempt Organizations

Federal law prohibits 501(c) (3) (tax-exempt) organizations from engaging in prohibited political activity, including political campaigns, and places limits on most lobbying activity. This does not, of course, apply to an employee's actions as a private citizen. However, employees must be careful to avoid the appearance of speaking for Erskine on political matters or using the resources of Erskine in furtherance of private political or lobbying activity. Unless informed otherwise by the President of Erskine, lobbying or political advocacy activities are not a part of any employee's duties as an employee. All lobbying or public advocacy undertaken on behalf of Erskine should be explicitly approved in advance by the President or the Senior Vice President for Finance and Operations.

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Business Contracts/Lease Agreements

Employees should not commit Erskine to any contracts or agreements (verbally or in writing) unless they have been authorized to do so by the President or the Senior Vice President for Finance and Operations. This includes contracts related to student internships and externships.

Contracts that exceed the amount of \$5,000 which include construction contracts, multi-year contracts, and contracts calling for insurance or indemnification by Erskine should be signed by the President or Senior Vice President for Finance and Operations.

Purchases in excess of \$7,500 may be required to have competitive bids as determined on a case-by-case basis.

Travel, Entertainment, and Employee Reimbursements

The Business Office processes employee reimbursements on the 1st and 3rd Tuesday of each month. Employees seeking reimbursement should follow these procedures:

1. Complete a **Check Request Form**;
2. Attach the appropriate supporting documentation (See explanation below)
3. Assign account numbers based on the nature of the expenditure, not available amounts in one's budget;
4. Sign the Check Request Form;
5. Have one's supervisor approve the request (see explanation below); and
6. Turn in the completed package to the Business Office for processing.

All employee requests for reimbursement must have a supervisor's approval prior to final processing, regardless of the amount involved. Normal limits of approval apply by level within the organization.

Meal charges should be limited to a reasonable daily amount. Suggested guidelines for individual meals should be obtained from one's supervisor. Alcohol or tobacco charges are not allowable unless they are pre-approved by one's Vice President.

In accordance with IRS regulations, employees are required to provide appropriate receipts and documentation for expenses (including meals – regardless if local or out of town) to include the date, place, amount, the names of people included in the charges, and the business purpose of the expense.

If the employee is a Vice President, the Senior Vice President for Finance and Operations will review and approve those documents. Random audits of the process may periodically occur, and sample reimbursements will be shared with the President, upon his request. All requests for reimbursement that relate to the Senior Vice President for Finance and Operations must be submitted to the President for approval prior to final processing. A committee of the Board of Trustees will review and approve all reimbursement requests for the President.

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Meal charges should be limited to a reasonable daily amount. Suggested guidelines for individual meals should be obtained from one's supervisor. Alcohol or tobacco charges are not allowable unless they are pre-approved by one's Vice President.

Only completed check requests will be processed; incomplete check requests will be returned to the employee seeking reimbursement for additional information. In order to ensure the timely processing of reimbursements and the efficient operation of the Business Office, employees are asked to respect the reimbursement dates and not make any impromptu requests for reimbursement.

Use of personal vehicles on Erskine business should be discussed with the employee's supervisor. When possible, motor pool vehicles should be used for Erskine business versus personal vehicles. The employee may file for mileage reimbursement for approved travel on Erskine business in a personal vehicle at the then-current rate established by the Business Office. (Mileage reimbursement is the normal manner in which Erskine helps employees defer the cost of using their own vehicles on Erskine business. Erskine normally does not pay for gas, insurance, or other operating costs for personal vehicles.)

Coach or economy fares should be used for airline travel. When pricing flights, perks such as frequent flier miles should not be used as a basis to justify higher fares. Frequent flier credits belong to the employee; however, employees are encouraged to apply frequent flier miles earned on Erskine-related business to future Erskine-related travel. Employees should not voluntarily be bumped from flights or use standby flights if doing so materially increases the likelihood of missing additional time at work.

Moving Expenses

Erskine may reimburse new employees for moving expenses under certain limited circumstances established by Erskine and the IRS. Unless arrangements are made in advance and proper documentation submitted, reimbursement for moving expenses will be treated as non-cash earnings and added to an employee's W-2 in December. No state or federal taxes will be withheld from this reimbursement. If the amount is added to an employee's Form W-2, the employee may (under IRS guidelines) deduct allowable moving expenses from his/her gross income when figuring adjusted gross income for tax purposes. Erskine does not provide tax advice; accordingly, employees should consult their own tax advisors regarding the treatment of moving expenses and reimbursements.

Erskine Vehicle Operation Procedures

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Vehicle Operation Procedures

The use of Erskine-owned vehicles is limited to full and part-time faculty and staff. The Senior Vice President for Finance and Operations must approve any exceptions to this policy. Driving Records for employees whose job requires them to drive, even if on an infrequent basis, will be reviewed on a periodic basis.

Requirements to drive Erskine-owned vehicles are:

1. Employees requesting or requested to drive must have a safe driver's history and be listed on **Erskine's Approved Driver List**, which is updated periodically. All employees who indicate on their Letter of Appointment that they may at times drive for Erskine automatically have their driving record checked by the Chief of Campus Police and are added to the Approved Driver List. Employees who are deemed unauthorized to drive an Erskine-owned vehicle must drive their own vehicle for which they may be reimbursed mileage at the current rate.
2. For liability reasons, only employees are allowed to drive Erskine vehicles or vehicles leased/rented, as their respective job requires.
3. The employee to whom the vehicle is assigned must be 21 years of age and 25 years of age for vehicles that comply with CDL requirements.
4. The employee must have a current valid driver's license appropriate for the vehicle being driven. If the vehicle is designed to transport less than 16 passengers, then a Class F license (ordinary operator's license) is required. If an employee is hired exclusively to be a driver, then a Class E license is required. Additionally, a CDL (commercial driver's license) is required to drive any vehicle designed to transport 16 or more passengers. An employee may contact The Athletic Director if he or she is uncertain when a CDL is applicable, and/or if one has questions regarding CDL requirements.

How to Reserve an Erskine Vehicle

Reservation requests should be made with a minimum of 48 hours advance notice. Requests may be submitted in writing by completing the **Vehicle Reservation Request Form**. An employee may call or e-mail his/her request to Erskine's Vehicle Coordinator, at pjones@erskine.edu or (864) 379-6683 or fax to (864) 379-6547.

BEFORE making the reservation for a vehicle, please determine:

1. Date and time desired to pick-up and return the vehicle;
2. Destination and purpose;
3. Driver's name(s) and driver's license number(s) or CDL number(s); and
4. Type of vehicle needed (Van, Mini-Van, Sedan).

Note: Be sure to note if the vehicle must be wheelchair accessible.

Erskine can rent a passenger van that is wheelchair accessible, if needed.

The Vehicle Coordinator will return the reservation request with the vehicle information written on the form, which will confirm a reservation has been made. If there are no vehicles available, "Nothing Available" will be written on the Reservation Form. If e-mailing, a reply will be sent by e-mail. If an employee does not receive a confirmation within 24 hours, please contact our Vehicle

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Coordinator. Do **NOT** assume reservations are confirmed.

In the event of unavailability, Erskine has an agreement with *Enterprise* for rentals. All rentals must have the written approval of the Vice President in an employee's respective department before a rental is made.

Cancellation of Vehicle Reservations

Please contact the Vehicle Coordinator for cancellations as soon as possible. This courtesy is extremely important due to the number of requests received. Cancellation of a reservation for a vehicle must be received within 24 hours of the stated time of pickup or a penalty charge of \$20 will be assessed to the requesting department.

Checkout Procedures for Erskine Vehicles

Employees may pick up Vehicle Information Packages (VIPs) daily between the hours of 8:30 A.M. and 3:30 P.M., Monday through Friday with the Vehicle Coordinator. The Vehicle Coordinator is located in the Business Office in Belk Hall. Vehicle Information Packages for vehicles reserved for Saturdays, Sundays, or holidays may be picked up on the last working day before the reservation.

Vehicle package information contents include the vehicle's keys, a sign out form, and the location of the vehicle. Employees are required to sign a responsibility agreement before a car will be released. Individuals must inspect all vehicles prior to departure, inspect all vehicles upon vehicle return, and return completed checklists.

Most vehicles are kept in the parking lot across from McCain Library. Employees checking out a vehicle may leave their personal vehicles in this same parking lot. If this parking lot is full, please park in the parking lot behind the Erskine Building. Parking in the street is not permitted. *If a vehicle is not picked up within two hours of the reserved time, the reservation will be cancelled.*

Cell Phone Use While Driving

The primary responsibility of the driver is to operate a vehicle safely and obey all federal, state, and local laws and regulations accordingly. The task of driving requires full attention and focus. Cell phone use can distract drivers from this task, risking harm to themselves and to others. Therefore, the safest course of action is to refrain from using a cell phone while driving. Sending/reviewing text messages and emailing are prohibited.

Return of Erskine Vehicles

Vehicles used should be returned to the car's parking space immediately upon return from the trip for which it was requested. Due to the limited number of vehicles for numerous requirements, vehicles must be returned by the time indicated on the reservation form.

Upon return, please complete and submit the **Vehicle Sign-Out Form** and keys to the Vehicle Coordinator. This should include beginning and ending odometer readings and keys. All vehicles are to be returned with a full tank of gas. If mechanical problems were noted, please describe them on the checklist returned.

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Budgets are charged by mileage at a predetermined rate, not by gasoline used. For information regarding this predetermined rates, please check with the Business Office. Vehicles not returned as scheduled will result in a late charge of **\$20.00** per day. Late charges will be waived if they occur as a result of mechanical breakdowns, etc. which are beyond the control of the driver.

Damage to Erskine Vehicles

When picking up a vehicle, users are requested to inspect the vehicle for body damage. Any damage should be noted on the trip ticket. The department reserving a vehicle is responsible for any damage to the vehicle beyond normal wear. In the event of vehicle damage, repairs will be made and that department will be billed for the repairs.

Repair of Erskine Vehicles

While every effort is made to maintain vehicles in the best possible condition, failures can occur from time-to-time. When a breakdown occurs, the employee should arrange for minimum necessary repairs if the breakdown is outside of the area. If major repairs are necessary, contact the Vehicle Coordinator prior to authorizing any work to be done. The driver is responsible for remaining with the vehicle. Any expenses incurred, other than vehicular repairs, are the department's responsibility.

If a vehicle suffers a mechanical failure, which might cause further mechanical damage or unsafe operation, the driver should return the vehicle. If being operated locally, call the Vehicle Coordinator if the vehicle is inoperable. If the vehicle is inoperable, the driver should rent a vehicle if necessary to return to the campus.

Maintenance of Erskine Vehicles

Erskine has a maintenance agreement for vehicles. The Vehicle Coordinator will be responsible for reviewing all charges/invoices, authorizing payment, and forwarding documentation to the Business Office for payment. The Business Office will process charge backs to the appropriate department on a monthly basis.

Fuel/Small Repair Purchases

Purchases by cash and/or credit cards may be reimbursed by submitting a completed travel expense form with appropriate receipts to the Business Office.

Accidents Involving Erskine Vehicles

Accidents on Campus - If anyone driving an Erskine vehicle is involved in an accident on Erskine property, a report must be made **immediately** to the Vehicle Coordinator. The Erskine Police Department officer will obtain all the required information at the scene of the accident. If for some reason the office is unable to arrive at the scene of the accident, the driver/supervisor must complete a **Vehicle Accident Report** and notify the Vehicle Coordinator immediately. A copy of a Vehicle Accident Report should be located in the vehicle's glove compartment.

Accidents off Campus - If an Erskine vehicle is involved in an accident off Erskine property, the report of the accident must be made **immediately** to the local police,

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highway patrol, county sheriff, or other appropriate jurisdictional division in accordance with the law. If possible, the driver should get a copy of the report written by the investigating officer. The driver/supervisor is responsible to complete a **Vehicle Accident Report**. A copy of a **Vehicle Accident Report** should be located in the vehicle's glove compartment. The Vehicle Coordinator should be contacted immediately and a copy of the report placed on file immediately. Insurance information and car registration information should be available in the glove compartment of each vehicle. Please do not remove this information from the vehicle.

Operation of Personal Vehicle on Erskine Business

Authorized use - The use of personal automobiles for official business purposes must be approved by the department head if a mileage allowance is to be paid or, in case of an accident, a Workers' Compensation claim is made. It is the responsibility of the department head to determine that each driver who is authorized to drive has a valid driver's license and appropriate insurance before the employee is allowed to drive.

Insurance - Erskine does **not** have insurance that will provide coverage to an employee while he or she is using his/her personal vehicle on business. The mileage allowance takes into consideration insurance; therefore, the employee must file any claim through his/her insurance company. If an employee frequently uses his/her vehicle on official business, he or she is encouraged to consult with his/her insurance agent or broker and/or request a campus vehicle.

Accidents - A person who has been authorized to use a personal automobile for official business is required to follow the same procedures for the initial police report of an accident that apply to drivers of Erskine vehicles (listed above). The driver must obtain all the required information and notify the department head and Human Resources as soon as possible.

Medical Costs - If it is established that the driver was engaged in a work-related capacity and personal injuries resulted arising out of or in the course of employment, the driver may be eligible for benefits under Workers' Compensation. Employees in a work-related accident should contact the Human Resource Director.

Cell Phone Use While Driving

The primary responsibility of the driver is to operate a vehicle safely and to obey all federal, state, and local laws and regulations accordingly. The task of driving requires full attention and focus. Cell phone use can distract drivers from this task, risking harm to themselves and to others. Therefore, the safest course of action is to refrain from using a cell phone while driving. Sending/reviewing text messages and emailing are prohibited.

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SUBJECT: 15-PASSENGER VANS

The National Highway Traffic Safety Administration (NHTSA) has issued a "cautionary warning" to users of 15-passenger vans because of an increased rollover risk under certain conditions. The NHTSA analysis of the 15-passenger van can be found at: <http://www.dot.gov/people/ncsa/reports.html#2001> with the full text found at: <http://www.nhtsa.dot.gov/people/ncsa/pdf/15vanRollNote.pdf>.

NHTSA's analysis revealed that loading the 15-passenger van causes the center of gravity to shift rearward and upward increasing the likelihood of rollover. The shift in the center of gravity will also increase the potential for loss of control in panic maneuvers. As a result, the use of the 15-passenger van by colleges and universities has been questioned.

The use of 15-passenger vans is not prohibited for colleges and universities, and there are no state laws governing their use for transporting college students. Nevertheless, there are numerous position papers that outline why 15-passenger vans are not as safe as "school buses" and recommend against their use in transporting students. The 15-passenger vans are not required to nor do they provide the higher level of protection for passengers that are required of buses.

While there are currently no laws prohibiting the use of the 15-passenger van by colleges and universities, Erskine recommends employees to follow Erskine's Best Safety Practices for any employee and passengers using 15 passenger vans for vehicle operation and use.

Further information may be obtained from Human Resources.

ERSKINE'S "BEST SAFETY PRACTICES"

1. Only allow authorized and approved drivers are allowed to operate the vehicles.
 - a. Minimum age of driver should be at least 21 years of age (25 if driving a 15 passenger van) unless approved by the Senior Vice President for Finance and Operations.
 - b. Driver should have a minimum of two years of driving experience.
 - c. A driver's record history check should reveal a good safe driving history.
 - d. Possess a valid driver's license appropriate for the vehicle being driven.
 - e. Passengers in vehicles are limited to faculty, staff, students, and approved guests of Erskine.
 - f. Students are not allowed to drive without written permission by the Senior Vice President for Finance and Operations.

2. Drivers should be responsible for inspecting the vehicle prior to leaving AND upon returning the car for the following:
 - a. Any defects should be noted and corrected prior to departure.
 - b. All equipment and luggage carried should be secured in a safe manner.
 - c. Weather conditions should be evaluated, and travel should be curtailed when conditions are hazardous. (This includes but not limited to fog, heavy rain, snow, ice, high winds, etc.)
 - d. Trailers and roof mounted loads are **prohibited**.

3. There should be a suitable number of drivers for the trip, based on the distance being driven.
 - a. The number of passengers transported must comply and not exceed the manufacturer's specifications and safe practices.
 - b. There should be one driver for every 400 miles being driven.
 - c. No driver should drive more than eight hours a day.
 - d. Drivers should try and not drive between 9:00 P.M. and 6:00 A.M. without special permission.
 - e. Drivers should not use a cell-phone while driving.
 - f. Students are not allowed to drive without written permission.

4. Passengers should adhere to the following rules:
 - a. All passengers should wear seat belts at all times while traveling.
 - b. No alcohol or drugs should be consumed or allowed in vehicles.
 - c. Vehicles should not be overloaded and tires should be properly inflated based up on the load carried.
 - d. Smoking is not allowed.

5. Other safety considerations.

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- a. Vehicle headlights should be on when driving.
- b. Drivers should not drive a vehicle that is not operating properly.
- c. Drivers must obey all traffic regulations, including posted speed limits.
- d. Vehicles should be limited to no more than 10 passengers despite being 15-passenger vans.