

# MINNEAPOLIS COLLEGE OF ART AND DESIGN

## 2019-2020 STAFF HANDBOOK

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## MCAD STAFF HANDBOOK

Revised February, 2020

This Handbook applies to all MCAD Staff. It does not apply to faculty members, adjunct faculty members, or work-student employees. Faculty members should refer to the Faculty Administrative Policies Handbook; Adjunct Faculty should refer to the Adjunct Faculty Administrative Policies Handbook; Continuing Education instructors should refer to the Continuing Education Handbook; and Work-study employees should refer to the Work Study Handbook.

**Purpose:** The College issues this Staff Handbook (the Handbook) to all new staff employees at the time of their initial employment. A Handbook with current revisions will be available in the Office of Human Resources and also on the Human Resources homepage at [www.mcad.edu/hr](http://www.mcad.edu/hr). Administrative memos pertaining to policy and operations should be kept by staff employees with their Handbooks.

This Handbook contains a summary of the policies, practices and procedures in effect at the Minneapolis College of Art and Design (the "College" or "MCAD"). This Handbook is to be used as a guide by staff employees and is not intended to, and does not create a contract of employment or an offer for a contract between the College and its staff employees. This Handbook does not contain promises of any kind or statements regarding the terms and/or conditions of your employment.

**Applicability:** All College staff employees are subject to the guidelines set forth in this Handbook.

**Provisions Superseded:** This Handbook is intended to replace and supersede any other agreement, statement, Human Resources policy, staff handbook, manual, memo, guidelines, practice, or writing previously adopted or published by the College regarding employment of staff.

**Interpretations, Revisions & Amendments:** The College has established the policies set forth in this Handbook. On occasion, the College may disseminate e-mails or pages containing additions or changes to this Handbook. The College will distribute the Handbook, and any revisions or amendments, to employees in such manner as it deems appropriate. The College is free to change, revoke, modify, deviate from, or amend any provision in this Handbook at any time at the College's sole discretion, with or without prior notice to employees. The College has the right to interpret or deviate from any of the policies set forth in this Handbook or to choose not to apply any policy, based on its determination of what is in the best interests of the College, at any time and in any manner it deems appropriate. The College's interpretation may vary from time to time if, in its opinion, the circumstances require such variation.

**At-Will Employment:** Your employment relationship with the College is at-will. This means that you are not required to work for the College for any set period of time. You remain free to terminate your employment at any time and for any reason. The College also remains free to terminate your employment at any time and for any lawful reason, with or without notice. Only the President of the College has authority to enter into an agreement of employment, for any specified period of time, or provide any particular terms of employment or agreements contrary to the foregoing. To be enforceable, any such agreement must be in writing and signed by both the President and the staff employee. The provisions set forth in this Handbook should not be interpreted as creating anything other than an at-will employment relationship.



## PART ONE: WELCOME TO MCAD

Welcome to the Minneapolis College of Art and Design (MCAD). Since 1886, MCAD has been committed to educating the next generation of cultural leaders who are experts in their fields of study and able to address some of the most pressing issues of our times.

MCAD is a private, nonprofit four-year and postgraduate college which aspires to be one of the top art and design institutions in the country. MCAD has the highest level of accreditation for an art and design school and is a national leader in areas such as animation, comic art, fine arts, furniture design, and graphic design. Through remarkable degree programs in fine arts, design, entrepreneurship, and sustainability education in addition to continuing education courses, exhibitions, and public events MCAD is creating a community greater than the sum of its parts.

MCAD believes that through the three core ideals of creativity, innovation and empathy our community can transform the world around us. MCAD faculty, staff and alumni are among the most widely-known and respected cultural advocates in the country today.

Thank you for choosing to be a member of the MCAD team. I hope to hear more about your work and your aspirations for this community in the months ahead.

Sanjit Sethi, President

OF THE  
Minneapolis School of Fine Arts.



# M CAD

## MISSION

The Minneapolis College of Art and Design educates individuals to be professional artists and designers, pioneering thinkers, creative leaders, and engaged, global citizens.

## VISION

The Minneapolis College of Art and Design transforms the world through creativity and purpose.

## VALUES

We, the MCAD community, shape our work and our interactions with others by honoring the following values:

**STUDENTS FIRST:** In all matters, we consider first what best serves the education and well-being of our students.

**ACADEMIC AND INSTITUTIONAL EXCELLENCE:** We are committed to rigorous scholarship, intensive studio work, the use of innovative technologies, and the highest levels of professional and ethical standards.

**CREATIVITY AND INNOVATION:** In ideation, process and making, we encourage experimentation and creative expression.

**COMMUNITY:** We maintain the strength of our community through respect, diversity, communication, openness and accountability.

**ENGAGEMENT:** We advance a just and sustainable society through collaboration and engagement with our neighbors and the world.

## MCAD 2021 GUIDING PRINCIPLES

MCAD will define the art and design school experience for the future, attracting a community of talented, dedicated, and innovative students who will be the next generation of creative makers and leaders.

MCAD will continue to be an inclusive community where all can learn and grow together and where students will be the authors of their own stories, truly embodying MCAD's tagline, "where creativity meets purpose."

MCAD will engage students in an education that encourages questioning, experimenting, and creative problem-solving to offer art and design solutions to community and world challenges.

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### GOAL 1: STUDENT SUCCESS

Over the next three years, we will provide an environment that enhances student success by focusing on students' academic, personal, and professional growth. We will deepen our commitment to a diverse, equitable, and inclusive learning community. Our graduates will begin their professional lives with a strong creative, intellectual, and practical foundation, enabling them to shape their own sense of creativity, meaning, and purpose. This is achieved through the following strategies:

- Support greater student engagement through a holistic approach to student experience.
- Create a more diverse, equitable, and inclusive community at MCAD.
- Attract and maintain high-value and diverse faculty and staff to assure excellence in student programs.
- Innovate and maintain relevant, student-centered art and design education programs.
- Support career and professional development and promote alumni success.

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### GOAL 2: INSTITUTIONAL VITALITY

To support our students' success, we will ensure our institution is thriving academically and financially, with robust enrollment, high-quality facilities, co-curricular resources, and advanced academic and administrative technology. MCAD will be a vital community partner, strengthening its ties to established communities while reaching out to make new connections both locally and nationally. This is achieved through the following strategies:

- Invest in campus facilities and technology.
- Expand MCAD's profile through active engagement with alumni, communities, and businesses.
- Meet enrollment and fundraising goals.
- Steward financial resources, including investments.
- Optimize board engagement.





## 1.1 HISTORY AND FUTURE

Since 1886, the Minneapolis College of Art and Design — a private, nonprofit four-year and postgraduate college — has been the preeminent art and design educator in the region. For more information about MCAD's history, visit the MCAD web page here: <https://mcad.edu/about-mcad/history>.

Today MCAD is a strong national leader in fine arts, design, entrepreneurship, and sustainability education. Through degree programs, continuing education courses, exhibitions, and a number of other community programs and events, MCAD transforms the world through creativity and purpose.

MCAD welcomes you to the staff if you are a new employee; and if you are a returning or long-time staff member, thank you for choosing to be a part of MCAD.

## 1.2 NEW EMPLOYEE ORIENTATION (NEO)

Either on your first day or during your first week or two of employment with MCAD, you will be invited to attend a New Employee Orientation (NEO). NEO is a chance for you to meet other employees, meet HR staff, complete new hire paperwork, and learn more about MCAD's mission, vision, values, history, culture, benefits, campus, and more. If you have not attended a NEO in the past, we welcome existing employees as well. Please contact [human\\_resources@mcad.edu](mailto:human_resources@mcad.edu).

## 1.3 POSITION POSTINGS

When new job opportunities are available at MCAD, whenever possible the positions will be posted on the [MCAD Employment webpage](#). New or vacant positions may also be advertised via social media and other websites, depending on the position. Employees are encouraged to apply for positions that interest them, as well as to make job opportunities known to their friends and colleagues. All new or vacant positions are staffed either through internal promotion/transfers or external recruiting.

Generally, the manager of the vacant position selects the person to be hired from the applications received. Search committees may be formed for upper management positions in administration. Selection and placement decisions are based on, among other things, qualifications and skills, interview results, references and College needs. The Office of Human Resources may check references and make the initial job offer at the request of the immediate supervisor or search committee.

## 1.4 POSITION DESCRIPTIONS

Position descriptions for each position are on file in the Office of Human Resources. The position description is a summary of each employee's responsibilities, as well as the required and preferred qualifications for that role.

You should be familiar with your position description, the expected standards of performance required for your position, and the interdependence between your role and other roles within MCAD. Every position at MCAD is vital for the mission and vision of the College to be realized.

At times, an employee may be requested to perform duties and responsibilities not described in the position description. If you have any questions regarding your job, they should be discussed with your supervisor or the Office of Human Resources.

## 1.5 PERFORMANCE EVALUATIONS

Annual performance evaluations will be conducted for all regular staff employees. On occasion, as deemed appropriate by immediate supervisor, they may be conducted more or less frequently. The evaluation period typically runs from June 1st through May 31st of the following year. You will receive a partial evaluation for your first year of employment, which will run from your hire date through May 31st of the following year, unless you were hired after January 1st. Evaluations are due to Human Resources by August 1<sup>st</sup> of each year.

It is expected that all employees take an active role in the evaluation process in order to communicate goals and needs to their supervisor, as well as to gain support, coaching, and direction from their supervisor so that they can be as successful as possible. Two (2) weeks prior to your performance evaluation meeting with your supervisor, you will be asked to complete a self-assessment form. This form will aid your supervisor in preparation for this meeting. On this form, you can identify your key accomplishments, growth, developmental needs, and career interests as well as your understanding of your job requirements, departmental communications, feedback for your supervisor, and any areas of discussion or comments you wish to go over. The purpose of the performance evaluation is to:

- Facilitate meaningful communication between you and your supervisor regarding your work assignment, your supervisor's performance expectations, the department's goals, and your relationship with your supervisor;
- Improve your effectiveness and competency by identifying strengths as well as developmental needs and desires;
- Identify unsatisfactory performance and counsel you regarding needed changes in behavior or performance, and/or, identify process and/or resource issues, and work towards correcting any communication problems.

## 1.6 WORKING HOURS & REST/MEAL BREAKS

MCAD administration offices are generally open between the hours of 8:30 a.m. and 5:00 p.m. The College makes available a flexible work schedule for its staff upon request and when possible. It is the responsibility of supervisors to ensure that departmental services are available to the public during these hours. Supervisors may schedule non-standard working hours for you at your request, as long as service is not disrupted during normal office hours.

Staff may take one (1) hour for lunch and two (2) fifteen (15) minute rest periods each workday, one in the morning and one in the afternoon. Please recognize that the break and lunch periods may vary in certain instances in order to meet your job requirements. Your supervisor will inform you of any schedules required for your particular job.

## 1.7 IDENTIFICATION CARDS, ENTRY BADGES, AND KEYS

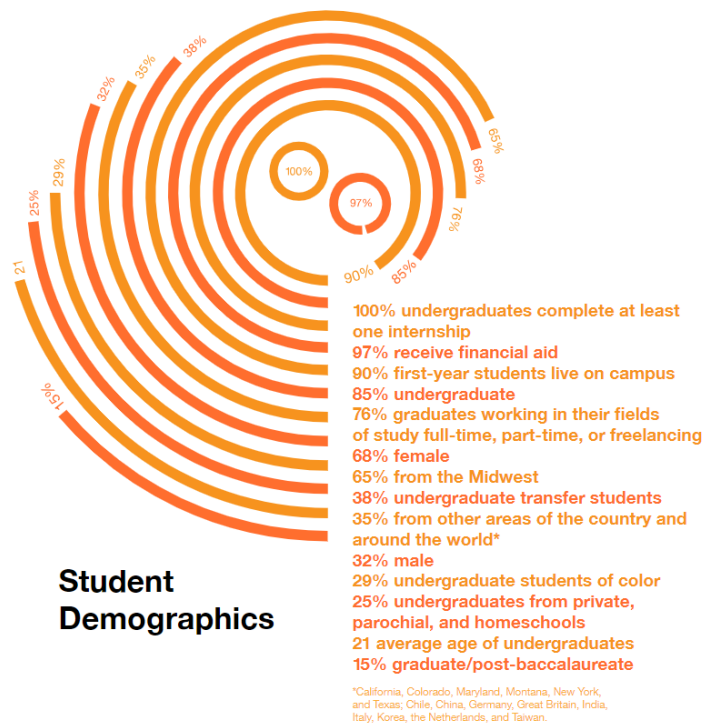
Picture identification cards will be issued to MCAD employees, typically during the first week of orientation. If you need access to MCAD facilities after normal working hours, contact MCAD Public Safety or use the after-hours access door located at the east gallery door. MCAD IDs must be presented to the officer to be admitted to the building. If you are in the building after normal working hours, you are encouraged to notify Public Safety and carry your ID card in the event a Public Safety Officer requests it.

The Associate Vice President of Facilities issues keys to MCAD facilities, for faculty and staff of the College, depending on role and need. You are responsible for the safekeeping of these keys and should not make copies of them. Keys should be returned to the Associate Vice President of Facilities upon termination of employment.

## 1.7 PAYROLL INFORMATION

For Staff, payroll is biweekly with the pay period ending on Sunday with pay date on the subsequent Friday. Pay dates may be altered depending on holidays and College closures.

For information about Payroll, including timecards, paychecks and overtime payments, [please see the Business Office Intranet Site.](#)





## PART TWO: COMMUNICATION

MCAD provides a wide variety of communication tools and resources to employees to keep everyone in the loop and also for use in running day-to-day business activities. Because effective communication requires intentional engagement, it is our hope and expectation that all staff will utilize the various modes of communication available including, but not limited to:

- **NEW EMPLOYEE ORIENTATION (NEO):** NEO is a great place to get started in terms of communication and learning all about the ways information is shared across campus.
- **CASCADING COMMUNICATION:** Information shared from department heads and managers to their staff via team meetings, one on ones, and email.
- **EMAIL:** All Full Time and Part Time staff will be given an MCAD Email address. It is the expectation that staff check email on a regular and consistent basis during working hours.
- **INTRANET:** A wealth of information is available to staff on the MCAD Intranet. It is a searchable resource including policies, practices, a directory, and events. This is a great resource for all staff when looking for the answer to most questions. The MCAD Intranet can be found here: <https://intranet.mcad.edu/>
- **MCAD RESOURCES PAGE:** A part of the main MCAD Intranet, the MCAD Resources page lists the hours of all MCAD offices as well as additional resources grouped by department/office. The MCAD Resources page can be found here: <https://intranet.mcad.edu/mcad-resources>
- **MAIN MCAD WEBSITE:** The main MCAD website is also a good resource for staff. It lists information about current and special events on campus, press releases, the academic calendar, and other helpful information. The MCAD webpage can be found here: <https://mcad.edu/>

### 2.1 CONFIDENTIALITY

In connection with their employment at MCAD, many employees obtain information regarding MCAD students, donors or other employees, which is considered to be confidential information. It is important that employees hold the confidential information of the College in trust and confidence, and not use or disclose it, directly or indirectly, except as may be necessary in the performance of the employee's duties for the College. Disclosure could be highly damaging to the College, its donors or others. Disclosure could also be a violation of state or federal law. In particular, federal law protects the confidentiality of student education records.

Any information regarding students, donors and employees, with the exception of "directory information" (name, position title, department name, room number, phone extension, cell phone number and fax number), is regarded as confidential information. Access to confidential or sensitive information is limited to those employees who have a need to know. Employees handling confidential information are responsible for its security. Disclosure of confidential information may subject an employee to disciplinary action, up to and including termination.

Any materials or documents drafted by an employee or provided to an employee, in connection with MCAD employment, belong to and are the property of MCAD. Upon termination of any assignment, such materials and documents, and all copies, must be returned to MCAD.

Violations of this policy will subject an employee to disciplinary action up to and including termination, legal action, or both.

## 2.2 TELECOMMUNICATIONS AND COMPUTER USE

Whether it is the telephone, voice mail, fax, scanner, Internet, intranet, e-mail, text messaging, or any other College-provided technology, use should be reserved for College related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

Employees should not have any expectation of privacy in their use of College issued computer, phone, or other communication tool. All communications made using College-provided equipment or services including email and internet activity, are subject to inspection by the College. Employees should keep in mind that even if they delete an email, voicemail or other communication, a copy may be archived on the College's systems.

You should also be aware that information transmitted through e-mail and the internet is not completely secure or may contain viruses or malware, and information you transmit and receive could damage the College's systems. To protect against possible problems, delete any e-mail messages prior to opening that are received from unknown senders and advertisers. It also is against College policy to turn off antivirus protection software or make unauthorized changes to system configurations installed on College computers. Should you suspect a malware issue, contact [helpdesk@mcad.edu](mailto:helpdesk@mcad.edu).

The College encourages staff to use e-mail only to communicate with fellow employees, suppliers, students, etc. regarding College business. Internal and external e-mails are considered business records and may be subject to federal and state recordkeeping requirements as well as to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the College.

All use of College-provided communications systems, including e-mail and internet use, should conform to our College guidelines/policies, including but not limited to the Equal Opportunity, Discriminatory Harassment, Confidential Information, and Conflicts of Interest. For example, employees should not engage in harassing or discriminatory behavior that targets other individuals because of their protected class status or make defamatory comments. Similarly, employees should not divulge confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites.

The electronic communication systems are not secure and may allow inadvertent disclosure, accidental transmission to third parties, etc. Sensitive information should not be sent via unsecured electronic means.

Office telephones are for business purposes. While the College recognizes that some personal calls are necessary, these should be kept as brief as possible and to a minimum. Personal use of the College's cell phones, long-distance account, or toll-free numbers is strictly prohibited.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment as protected under the National Labor Relations Act. Employees have the right to engage in or refrain from such activities.

MCAD may monitor, access, intercept, copy, record, audit, inspect and disclose the contents of employees' electronic and/or telephone communications (including E-mail and voice-mail). The issuance of a password or other means of access to the computer or voice-mail systems is to assure appropriate confidentiality of MCAD files and information. The issuance of a password does not guarantee privacy for personal or improper use of MCAD equipment and facilities. The computer system (including E-mail) and telephone system are MCAD property and are subject to viewing or inspection by MCAD officials.

All employees are expected to operate and use the computer and phone systems for the legitimate business of MCAD. Employees are prohibited from installing personal programs or applications on the MCAD computer system. The telephone and computer systems are not to be used for the transmission of personal or commercial advertisements, solicitations, political material, or any other unauthorized personal use. Occasional proper personal use of computer equipment, software, and the telephone is permitted when personal use does not interfere with expected work performance or violate any applicable policy, rule or law.

MCAD has the right to monitor, view, access, copy, intercept, record, audit, inspect, handle, store, manage or use for any purpose E-mail, voice-mail, or any other electronic information processed on MCAD's equipment. Intimidating, threatening, explicit, obscene, harassing (as defined by MCAD's Discrimination and Discriminatory Harassment Grievance Procedure for Staff Employees) material or similar inappropriate language in violation of MCAD policy is expressly prohibited on MCAD equipment, and employees who violate this policy are subject to discipline, including termination.

### 2.3 ACCEPTABLE USE OF SOCIAL MEDIA

MCAD encourages employees to share information with co-workers and with those outside the College for the purposes of gathering information, generating new ideas, and learning from the work of others. Social media provide inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public and, therefore, the College has established the following guidelines for staff participation in social media. As used in this policy, "social media" refers to blogs, forums, and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, Instagram, and SnapChat, among others.

- **OFF-DUTY USE:** Staff may maintain personal websites or weblogs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, the College considers social media activities to be personal endeavors, and staff may use them to express their thoughts or promote their ideas.
- **ON-DUTY USE:** Staff may engage in social media activity during work time provided it is directly related to their work, approved by their manager, and does not identify or reference College students, clients, customers, or vendors without express permission. The College reserves the right to monitor employee use of College computers and the Internet, including employee social networking activity.

- **RESPECT:** Demonstrate respect for the dignity of the College, its staff, faculty, students, board, and community partners. A social media site is a public place, and staff should avoid inappropriate comments. For example, employees should not divulge confidential College information on social media sites. Similarly, staff should not engage in harassing or discriminatory behavior that targets other staff or individuals because of their protected class status or make defamatory comments. Even if a message is posted anonymously, it may be possible to trace it back to the sender.
- **DISCLAIMERS:** If a staff member identifies themselves as a MCAD employee or discusses matters related to the College on a social media site, the site must include a disclaimer on the front page stating that it does not express the views of the College and that the staff person is expressing only their personal views. For example: "The views expressed on this website/Weblog are mine alone and do not necessarily reflect the views of my employer." Place the disclaimer in a prominent position and keep in mind that if posting information on a social media site that is in violation of College policy and/or federal, state, or local law, the disclaimer can subject an employee to disciplinary action, regardless of the disclaimer.
- **CONFIDENTIALITY:** Do not identify or reference College students, clients, customers, or vendors without express permission. Staff may write about their jobs in general but may not disclose any confidential or proprietary information. For examples of confidential information, please refer to the confidentiality policy. When in doubt, ask before publishing.
- **LINKS/TRADEMARKS/COPYRIGHTS:** Employees may provide a link from a social media site to the College's website during employment (subject to discontinuance at the College's sole discretion). Do not use the College's or others' trademarks on a social media site, or reproduce the College's or others' material without first obtaining permission.
- **LEGAL:** Employees are expected to comply with all applicable laws, including but not limited to, Federal Trade Commission (FTC) guidelines, copyright, trademark, and harassment laws.
- **PROTECTED COMMUNICATIONS:** Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to discuss terms and conditions of employment, such as wages, working conditions, and benefits.



## PART THREE: BENEFITS

### 3.1 BENEFITS INTRODUCTION

MCAD aims to provide the best benefits package possible for our staff. Every year, MCAD assesses the current benefits package in order to ensure that it remains competitive with other similar organizations while also keeping within MCAD's financial resources. This section details many of the benefits employees may enjoy while working for MCAD. For more information, please refer to the full Benefits Summary available from the Office of Human Resources and on the MCAD Intranet.

The benefits described below reflect those benefits presently available to staff. These benefits are subject to change or elimination at any time, within the sole discretion of MCAD, without prior notice to employees. Additionally, insurance carriers, premium amounts, eligibility requirements, and administrative procedures may be changed. This statement is true of all benefits, whether or not this information appears on specific written communications regarding benefits.

All statements of coverage are subject to the terms, conditions, restrictions, and other eligibility requirements set forth in the plan documents, which are the final word in terms of eligibility and coverage. An employee's eligibility for or receipt of benefits does not affect MCAD's right to terminate or discipline the employee.

### 3.2 BENEFITS ELIGIBILITY

Benefits eligibility depends on employment type. Employment types are as follows:

- Regular Full Time Staff: Scheduled to work 35 hours or more per week.
- Regular Benefited Part Time Staff: Scheduled at or above 20 hours per week, but less than 35 hours a week.
- Regular Part Time Staff: Scheduled below 20 hours per week.
- Casual Labor: Scheduled on an as needed basis on an ongoing basis.
- Full Time Faculty: Contracted to work full time each semester.
- Adjunct Faculty: Contracted to work for a semester.
- Work Study: Student workers.



- Seasonal/temporary: Scheduled as needed basis on a temporary basis.

The table below lists the majority of benefits and employment types. Because benefits may change over time, if there is a conflict between this table and/or the MCAD Benefits Guide, and/or the plan Summary Plan Descriptions (SPDs), please refer to the SPD and/or contact the Office of Human Resources. Similarly, if there is any conflict between this table and/or the Benefits guide and the SPD and/or Collective Bargaining Agreement, please refer to the SPD, or contact the Office of Human Resources.

BENEFITS ELIGIBILITY TABLE													
Employment Type	Health Insurance	Dental Insurance	Flex Plans	Life/LTD Insurance	Short Term Disability Insurance	403(b) Plan*	SAR Plan	Tuition Benefit**	Sick Time	Paid Holidays	Vacation Time	Transit Benefit	Bicycle Benefit
Full Time (35+ Hours)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Part Time (20-34 Hours)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Part Time (<20 hours)	N	N	N	N	N	N	N	N	Y	N	N	Y	Y
Casual Labor/Temporary	N	N	N	N	N	N	N	N	Y	N	N	N	N

- 403(b) plan eligibility contingent on 2 years of X hours of service and/or submission of previous qualifying work experience waiving these waiting period.
- Tuition benefit contingent on 6 continuous months of MCAD employment

Details of the insurance benefits currently offered under the MCAD Benefits Guide. This booklet is available in the Office of Human Resources or on the Human Resources intranet page. In all cases, the terms of the insurance plan will govern, including the extent and duration of benefits.

### 3.3 INSURANCE BENEFITS

MCAD offers several insurance benefits as references in the table above, including:

- Health Insurance
- Dental Insurance
- Life Insurance
- Long Term Disability Insurance
- Short Term Disability Insurance

MCAD also offers option Flexible Spending Accounts (FSAs). Eligible employees will receive a Benefits Orientation during their first week of employment at MCAD and should complete their online benefits enrollment no later than 30 days prior to their first day of work. Benefits will begin on the 1<sup>st</sup> of the month following the first day of work. Eligible employees will also be able to add, drop, or change benefits during the Open Enrollment process each fall (unless in the case of a qualifying event).

For more information and details about these benefits, please refer to the MCAD Benefits Guide or contact the Office of Human Resources.

### 3.4 PAID TIME OFF BENEFITS

MCAD offers several types of paid time off benefits for benefit eligible staff. This includes Vacation Time, Holiday Time, Sick Time, and Summer Hours.

#### 3.4.1 VACATION TIME

- **FULL TIME HOURLY/NON-EXEMPT VACATION ACCRUAL:** The College provides vacations with pay as part of the compensation for all regular full-time and part-time employees.

Length of Continuous Service	Annual Accrual (Days)	Vacation Cap (Days)
1 - 4 years	12	18
5 - less than ten years	15	22.5
10 or more years	22	33

- **FULL TIME SALARY/EXEMPT VACATION ACCRUAL:** Regular full-time exempt employees are eligible for twenty-two (22) vacation days per year. The maximum accumulation is thirty-three (33) days. All hours accumulated beyond the Vacation Cap will be forfeited. There is no payment for unused vacation for active employees. Regular part-time exempt employees receive a prorated vacation benefit based upon percent of time worked. Temporary employees are not eligible for vacation pay.
- Regular part-time non-exempt employees receive a prorated vacation benefit based upon percent of time worked. Temporary employees are not eligible for vacation pay. All hours accumulated beyond the Vacation Cap will be forfeited. There is no payment for unused vacation for active employees.
- **USE OF VACATION TIME:** Vacation dates are determined by mutual written agreement between each employee and their supervisor. Employees are encouraged to take a minimum of one (1) week of vacation each year. Because the schedule of a part-time employee, whether exempt or non-exempt, may vary from week to week, they must record vacation time, for any given day, as the number of hours they were scheduled to work. If a scheduled holiday falls within your vacation, the holiday will not be counted as a day of vacation.
- **VACATION PAY ADVANCE:** The College will pay you in advance when your vacation period includes a regular payday. Your request for vacation pay advance must be received by Payroll not later than ten (10) working days prior to the start of the vacation period.
- **VACATION PAY AT SEPARATION:** Payment will be made for accrued, unused vacation time upon separation of employment, up to the Vacation Cap.

#### 3.4.2 HOLIDAYS

- **HOLIDAY ACCRUAL:** All regular full-time and part-time staff are currently eligible for thirteen (13) paid holidays and up to two (2) personal holidays. Temporary employees are not eligible for holiday or personal holiday pay. Holidays are designated annually by the College, and personal holidays are determined by you with the approval of your supervisor. New employees, hired after July 1st of any given year, are granted one (1) personal holiday; employees hired before that date are granted two (2). Each year, by November, you will

receive a memo detailing the holiday schedule for the upcoming year. The dates are also posted on the Human Resources intranet page.

- **USE OF HOLIDAY TIME:** Holidays and personal holidays may not be carried over from one calendar year to the next, and are not considered time worked for over-time purposes. Non-exempt part-time employees will be paid for holidays and personal holidays according to their prorated scheduled hours. Exempt part-time employees will be paid based upon the number of forecast hours per pay period that they are scheduled to work.
- **HOLIDAY PAY AT SEPARATION:** Accrued but unused holidays and personal holidays will not be paid out at separation.

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### 3.4.3 SICK AND SAFE TIME

- **SICK AND SAFE TIME ACCRUAL:** Full-time, regular employees accrue one paid personal and sick and safe time day for each full month of employment, up to a maximum accumulation of sixty (60) days per calendar year. Regular part-time employees accrue on the same basis, prorated for the percent of time they work. Employees can use their accrued sick and safe time as it is accrued. Employees can carry over unused sick and safe time to the next calendar year, but can bank only eighty (80) hours at a time.
- **USE OF SICK AND SAFE TIME:** Employees may use sick and safe time for their own health and certain family members' illness, injury or health conditions; or appointments for diagnosis, care, treatment or preventive care. Family members include a faculty member's child (minor or adult), step-child, adopted child, foster child, spouse, sibling, parent, step-parent, parent-in-law, son or daughter-in-law, guardian, ward, registered domestic partner, grandchild or grandparent. "Grandchild" includes a step grandchild, and a biological, adopted or foster grandchild. Victims of domestic abuse, sexual assault and stalking may use sick and safe time to receive medical treatment and other necessary services. Employees may use sick time to stay home with a family member during emergency closure of school or place of care, including closure due to inclement weather. Regular part-time employees are paid sick and safe time only for those hours they are scheduled to work. MCAD may request documentation of an illness or absence that lasts longer than three (3) consecutive days. Employees can use their accrued sick and safe time in a minimum of quarter hour increments.
- **EXTENDED ABSENCE:** In the event of an extended illness (more than five (5) days), you may be required to submit a Health Care Provider Disability Benefits Form and/or a Certification of Health Care Provider for Family Medical Leave (FMLA) if you are eligible. If out on sick and safe time, it is important that you remain in contact with your immediate supervisor so that scheduling arrangements and your anticipated return to work date can be discussed. If you are ill more than five (5) days, depending on the nature of your injury or illness, you will be required to provide evidence of fitness to return to work from your attending physician.
- **NOTIFICATION OF UNPLANNED ABSENCE:** If you are unable to report for work because of illness or other emergency, you should call or have someone call your supervisor as soon as possible during the workday. If your supervisor cannot be reached, the Public Safety staff should be given the information. Unexcused absences beyond accumulated personal/sick time or vacation time can represent a very real problem for the efficient operation of the College and may result in termination.

- SICK AND SAFE TIME AT SEPARATION: Accrued but unused sick and safe time will not be paid out at separation.

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#### 3.4.4 SUMMER DAYS

- SUMMER DAY ACCRUAL: Summer Days are reviewed with the potential to be approved, annually by the President and PAC. Summer Days are not guaranteed and may change from year to year.
- USE OF SUMMER DAYS: If approved, Summer Days will be used and approved in the same way as Vacation Time. Approval will depend on departmental work load during the summer.
- SUMMER DAYS AT SEPARATION: Accrued but unused summer days will not be paid out at separation.

### 3.5 403(B) RETIREMENT PLAN

All regular full-time and part-time employees who meet current conditions of eligibility are participants in the Minneapolis College of Art and Design Retirement Plan. Eligibility is currently determined by age and date of employment: staff must attain age 21 and have two (2) years of continuous service (1,000 or more hours per year for staff) before they are eligible to participate in the College sponsored portion of the plan.

New employees hired from higher education institutions described in Section 170(b)(1)(A)(ii) of the Code; non-profit institutions described under Section 501(c) (3) of the Code or employed by federal, state or local governments, where they have two (2) years of continuous service and have attained age 21 may be eligible to participate in the plan immediately. New employees can receive credit for one (1) or two (2) years of prior continuous service at an eligible institution.

Once eligibility requirements have been met, the College will contribute 5.5% of your total compensation to your retirement account. Eligible employees will be required to contribute 3.5% of salary by payroll reduction as a condition of employment. The retirement benefits you receive will depend upon the value of this account when you retire.

All staff employees, even if they are not benefits-eligible, may elect to contribute to a Supplemental Retirement Annuity (SRA). Individuals are eligible to contribute to the SRA Plan immediately following employment. This tax-deferred annuity allows you to accumulate retirement funds.

Current options for investing your Retirement or Supplemental Retirement Annuity Funds are described in the current MCAD Benefits Guide and in information available in the Office of Human Resources.

## 3.6 TUITION/CONTINUING EDUCATION BENEFITS

Regular, full-time employees who have been with the College for six (6) months are eligible for tuition and continuing education benefits. Part-time, benefits-eligible employees must have been employed one (1) year to be eligible.

Requests for tuition waivers and tuition reimbursement forms should be directed to the Office of Human Resources. Tuition waiver requests must be completed each semester or you will be charged for the class. These forms are available upon request from the Office of Human Resources, or they can be found on the HR Intranet Site.

### 3.6.1 MCAD CONTINUING EDUCATION COURSES

Once they have met the eligibility requirements, employees, their spouses and their children may enroll tuition free in evening, summer, or Saturday classes at the College if the classes are not fully enrolled. It is expected that employees will not enroll in classes that conflict with their scheduled working hours. The employee, spouse, or child is limited to one (1) class each per semester.

A registration fee of \$25 is charged, and any additional fees must also be paid. In addition, children of eligible employees who do not meet the IRS definition of dependent will be charged an administrative fee of 7.65% of the value of the tuition; the employee will also be required to pay FICA taxes on the tuition; the value of the entire tuition will be reported on the employee's IRS Form W-2 as gross, taxable income; and, if the employee is a participant in MCAD's Defined Contribution Retirement Plan, the employer and employee contributions will also be made on this amount of income.

### 3.6.2 MCAD UNDERGRADUATE DAY SCHOOL CLASSES

Once they have met the eligibility requirements employees are eligible to enroll in undergraduate day school classes. Classes may be taken for credit or audited. Mentorship credits are not covered by tuition waiver.

Benefits-eligible employees who wish to enroll in undergraduate day school classes at MCAD may do so through the Tuition Waiver Program. The employee is limited to one (1) class each semester; it is expected that employees will not enroll in classes that conflict with their scheduled working hours. Enrollment will be allowed only if the selected class is not fully enrolled. A registration fee of \$30 is charged and any additional fees must also be paid.

Employees, spouses and their children may enroll in day classes for credit, full-time or part-time, on a space available basis. The participant must pay a registration fee of \$30 per semester, and any additional fees must also be paid. In addition, children of eligible employees who do not meet the IRS definition of dependent will be charged an administrative fee of 7.65% of the value of the tuition; the employee will also be required to pay FICA taxes on the tuition; the value of the entire tuition for the class(es) will be reported on the employee's IRS Form W-2 as gross, taxable income; and, if the employee is a participant in MCAD's Defined Contribution Retirement Plan, the employer and employee contributions will also be made on this amount of income.

### 3.6.3 MCAD GRADUATE SCHOOL CLASSES

Once they have met the eligibility requirements employees who wish to enroll in graduate classes at MCAD may do so through the Tuition Waiver Program.

A registration fee of \$35 is charged, and any additional fees must also be paid. In addition, employees will be charged an administrative fee of 7.65% of the value of the tuition; employees will also be required to pay FICA taxes on the tuition; and the value of the entire tuition will be reported on their IRS Form W-2 as gross, taxable income. If the employee is a participant in MCAD's Defined Contribution Retirement Plan, the employer and employee contributions will also be made on this amount of income.

- **MFA Program:** Employees must be accepted into the MFA Program before enrolling in classes. Classes may be taken for credit only. Mentorship credits are not covered by tuition waiver. Employees are limited to one class each semester. Enrollment will be allowed only if the selected class is not fully enrolled. It is expected that staff members will not enroll in classes that conflict with their work responsibilities.
- **Masters in Sustainable Design (MASD):** Employees must be accepted into the MASD Program before enrolling in classes. The MASD is a cohort-based program; enrollment in classes will only be allowed if the cohort is not fully enrolled. The program requires two courses per semester (fall, winter, summer) for two (2) years. Courses must be taken in sequence. Employees are limited to tuition reduction for one class each semester. It is expected that staff members will not enroll in classes that conflict with their work responsibilities.

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#### 3.6.4 TUITION REIMBURSEMENT PROGRAM

Once they have met the eligibility requirements, employees are eligible to participate in the Tuition Reimbursement Program. Courses directly relevant to one's present position will be reimbursed up to \$3,488.00 per fiscal year. This reimbursement is for tuition cost only; fees, materials, books, etc. are not eligible for reimbursement under this program. There may be situations where the number of eligible applicants exceeds the College's budgeted amount for tuition reimbursement. In this case, the reimbursement may be given on a pro rata basis.

To receive reimbursement, the course must be approved in advance and taken for credit at an external accredited institution and be completed with a grade of "C" or better. Applications must be approved before the course is begun.

Applications for summer or fall courses must be received by June 1st of each year; applications for winter or spring courses must be received by December 1st. Applications received after this date will be considered only if budgeted funds remain.

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#### 3.6.5 TUITION EXCHANGE SCHOLARSHIP

Full-time, benefits-eligible employees are eligible to participate in the Tuition Exchange Scholarship program. Scholarships are not granted for graduate study, non-degree study or second undergraduate degrees.

Under this program, spouses and dependent children may attend undergraduate courses at one of several hundred colleges in the United States. A list of participating colleges can be found at [www.tuitionexchange.org](http://www.tuitionexchange.org). The spouse or dependent child must be enrolled as a full-time student while in the Tuition Exchange Scholarship Program. This benefit may be restricted to two (2) years of attendance depending upon how many students are enrolled in the program. Please contact the Office of Human Resources for further information.

It is important that employees recognize that there are many variables which may affect a spouse or dependent's ability to utilize this program. MCAD cannot control how many of our applicants will be accepted into the program, nor does MCAD have control over whether an applicant will be accepted by the school of their choice. Because of this, the College recommends that this program be considered as just one potential option for college financing.

The fall before your spouse or dependent child plans to enroll in college, contact the Office of Human Resources to confirm that you are eligible and then complete all required forms.

### 3.7 COMMUTING BENEFITS

MCAD currently offers several commuting benefits and resources for eligible staff, faculty and students. These benefits include:

- Bicycle benefits
- Metropass plans
- Carpooling

For more information, please refer to the following MCAD Intranet Pages:

- <https://intranet.mcad.edu/resources/transportation>
- <https://intranet.mcad.edu/resources/transportation-reimbursement-forms>
- <https://intranet.mcad.edu/resources/faculty-and-staff-transportation-information>.

## 3.8 OTHER BENEFITS AND RESOURCES

### 3.8.1 MIA MEMBERSHIP

As a regular benefits-eligible full-time or part-time employee, you receive a free individual membership in the Minneapolis Institute of Art. To activate this membership please use the enrollment link provided: <http://new.artsmia.org/join-and-invest/>. Please review this website for complete details on membership and upgraded membership opportunities.

Any MCAD staff member who wishes to view special exhibitions may show their badge/business card in reserving tickets during open museum hours. Mia staff will be able to provide up to two (2) free tickets per visit with MCAD identification.

### 3.8.2 ART CELLAR

All Staff and Faculty can take advantage of the Art Cellar as a resource for art supplies, books, and materials. The Art Cellar provides materials at a discounted price for students, staff, and faculty. This is already part of the pricing at the Art Cellar (no additional discounts are given).



### 3.8.3 LIBRARY

The College library has over 225 periodicals and 60,000 volumes, primarily dealing with art and design and other subjects taught at the College. Regular full and part time staff (not including casual or temporary labor) are welcome to check out materials upon presentation of their official MCAD ID, as well as the ability to request books from partner libraries through Interlibrary loan. [For more information on the library and Interlibrary Loan, see the MCAD Intranet.](#)

### 3.8.4 COLLEGE CAFETERIA AND VENDING

The cafeteria, located on the second floor of the Main Building, provides food service during the school year. It is open Monday through Thursday from 8:00 a.m. to 5:00 p.m., and Friday from 8:00 a.m. to 4:00p.m. Vending machines for snacks and beverages are located in both College buildings.

HINT: Bring your own coffee mug, travel mug, or tumbler and get coffee for \$1!



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### 3.8.5 PREGNANT AND/OR NURSING PARENTS

MCAD will comply with applicable law when an employee requests accommodation of pregnancy and health conditions related to pregnancy or childbirth. Pregnant employees who wish to request a pregnancy-related accommodation should contact the Office of Human Resources. A private room is available for a nursing parent to express milk. Contact Human Resources to arrange access to this room. Expecting parents should also proactively contact the Office of Human Resources for additional information on leave benefits such as Short Term Disability, Adoption Leave, FMLA, etc. More information on parental leaves can also be found in Appendix A of this Handbook.

### 3.9 ACCOMMODATION FOR EMPLOYEES WITH DISABILITIES

A qualified disabled employee may be entitled to reasonable accommodation if necessary to enable the employee to perform the essential functions of their job, and such reasonable accommodation can be provided without undue hardship to MCAD. Employees requiring reasonable accommodation should contact the Office of Human Resources.

MCAD does not unlawfully discriminate against qualified persons with physical and mental impairments that substantially limit one or more major life activities, as defined by the Americans with Disabilities Act.

### 3.10 WORKERS COMPENSATION

As provided by law, the College carries insurance to cover on-the-job injuries beginning from the date of employment. As part of our Workers' Compensation Program, the College has established a Return-to-Work Program. The goal of this program is, when appropriate, to return the injured employee to work (either to the original job or to a transitional assignment) as soon as possible, if feasible.

Generally, missed time not covered by workers' compensation (appointments, the first three days of missed work) should be designated as sick time. Additional information can also be found in the Employee Safety Manual located on the Occupational Health and Safety intranet website.

### 3.11 INDEPENDENT MEDICAL ADVICE

The College may enlist the services of independent physicians to assist with case management of employee illness or injuries when sick or disability benefits are requested. They may assist the College in determining whether an employee meets the requirements for disability benefits and may also assist in determining when it is medically appropriate to return to work. Additionally, they may help in making needed accommodations to an employee's daily responsibilities upon return to work as required by the physician. To accomplish these goals, medical staff may review an employee's medical records; talk with the employee and relevant department supervisor, doctor or health care provider; schedule independent medical examinations; or develop a treatment plan.

### 3.12 MEDICAL INFORMATION AND CONFIDENTIALITY

Medical information on individual employees is treated confidentially. MCAD will take reasonable precautions to protect such information from inappropriate disclosure. Department heads and supervisors have a responsibility to respect and maintain the confidentiality of employee medical information.



## PART FOUR: STANDARD EXPECTATIONS AND CONDUCT

### 4.1 STANDARD EXPECTATIONS AND CONDUCT

Proper conduct on the job includes, but is not limited to professional behavior, getting along with others, and cooperating with your associates to finish work in a timely and professional fashion in furtherance of MCAD's mission, vision, and strategic goals, as well as the success of our students.

The following guidelines are presented with the hope that we can work together with respect, honesty, and compassion. When a violation of these standard expectations and conduct occurs, the College has the sole discretion to determine what behavior warrants disciplinary action and what type of disciplinary action is appropriate, up to and including termination.

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#### BUILD TRUST AND CREDIBILITY

The success of MCAD and our students is dependent on the trust and confidence we earn from our students, employees, and stakeholders. We gain credibility by adhering to our commitments, and displaying honesty and integrity in our actions. It is easy to say what we must do, but the proof is in our actions.

When considering any action, it is wise to ask: Will this build trust and credibility within MCAD? It is in the best interest of our students? Will it help create a working environment in which all employees of MCAD feel welcomed? Is the commitment I am making one I can follow through with? The only way we will maximize trust and credibility is by answering "yes" to those questions and by working every day to build our trust and credibility.

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#### RESPECT FOR THE INDIVIDUAL

We all deserve to work in an environment where we are treated with dignity and respect. MCAD is committed to creating such an environment because it brings out the full potential in each of us, which, in turn, contributes directly to the success of our students.

MCAD is an equal employment employer. It is the goal of MCAD to provide a work place that is inclusive and welcoming for our students, staff, and faculty. Any employee who feels harassed or discriminated against should report the incident to their supervisor or to Human Resources or file a grievance under the Grievance Procedure for Staff Employees.

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## CREATE A CULTURE OF OPEN AND HONEST COMMUNICATION

Supervisors and leaders have a responsibility to create an open and supportive environment where students and employees feel comfortable questioning the appropriateness of certain actions. We all benefit when we exercise our power to prevent mistakes or wrongdoing by asking the right questions at the right times.

MCAD will follow up on reported instances of inappropriate behavior. Where improper behavior which violate College policies is found to have occurred, the College will take appropriate action. We will not tolerate retaliation against employees who raise genuine concerns in good faith.

Employees are encouraged, in the first instance, to address such issues with their supervisor or the Office of Human Resources, as most problems can be resolved swiftly. If for any reason that is not possible or if an employee is not comfortable raising the issue with their supervisor or the Office of Human Resources, the President and Chief Financial Officers operate with an open-door policy.

### 4.2 AT-WILL EMPLOYMENT

Your employment relationship with the College is at-will. This means that you are not required to work for the College for any set period of time. You remain free to terminate your employment at any time and for any reason. The College also remains free to terminate your employment at any time and for any lawful reason, with or without notice. Only the President of the College has authority to enter into an agreement of employment, for any specified period of time, or provide any particular terms of employment or agreements contrary to the foregoing. To be enforceable, any such agreement must be in writing and signed by both the President and the staff employee. The provisions set forth in this Handbook should not be interpreted as creating anything other than an at-will employment relationship.

### 4.3 AGE REQUIREMENTS FOR EMPLOYMENT

The Minneapolis College of Art and Design complies with all Federal and State laws regarding minimum age requirements for employment. Accordingly, the College will not employ any person under the age of 16, and no one under 18 years of age will be employed in a job which is determined to be hazardous in nature.

### 4.4 BACKGROUND CHECKS

In an effort to protect the welfare and safety of our students, faculty, staff, alumni, visitors, and the institutional resources of the College, background checks will be conducted to identify individuals who have committed criminal acts which would disqualify them from employment by law or because their presence in the work place would create an unacceptable risk to our College community and/or create the potential to expose the College to liability. The College reserves the right to perform background checks, as deemed appropriate, to protect the interests of the College or its constituents.

Background check information obtained by the College may be used only for the purpose of evaluating applicants for employment, and shall in no way be used to discriminate on the basis of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, familial status, disability,

age, marital status, status with regard to receipt of public assistance, membership or activity in a local commission or any other characteristic protected by law.

Once hired, employees who drive vehicles (whether their own or a College vehicle), as an essential function of their job, are required to immediately inform their supervisor if their license is revoked or restricted due to driving infractions.

A complete copy of our Background Check Policy is available upon request by contacting the Office of Human Resources.

#### 4.5 STAFF TEACHING AS ADJUNCT FACULTY

Full-time staff will only be offered adjunct faculty contracts when the teaching assignment does not coincide with or overlap regular staff hours. Generally, these contracts will be for classes taught in the evenings and on weekends. It is expected that any class preparation will be done outside of regular staff hours. In rare circumstances, short-term contracts may be offered if staff can demonstrate that the overlapping time obligations will be resolved by the staff person taking vacation during the duration of the contract. The supervisor of the staff person must give permission before any contract is given to the employee.

#### 4.6 EMPLOYMENT OF RELATIVES

A qualified relative of a College employee (spouse, parent, brother, sister, child, grandchild, grandparent) may be considered for employment when such hiring will not create a direct supervisory relationship between the parties. Special considerations may require that reporting or employment relationships be evaluated on a case-by-case basis.

#### 4.7 EQUIPMENT USE

MCAD staff may not use MCAD equipment of any sort for the completion of projects or work for which payment of any kind is received. Specific, short-term exceptions to this policy may be approved by the Associate Vice President of Technology. This policy does not prohibit use of MCAD equipment for:

- Volunteer, unpaid work undertaken for the public good, such as for non-profit organizations which is approved by the employee's supervisor;
- The production of personal non-commercial art work;
- Approved class work.

If you are in doubt as to the application of this policy, please consult the Office of Human Resources. Violations of this policy may result in dismissal.

#### 4.8 USE OF COPYRIGHTED MATERIALS

It is the policy of the Minneapolis College of Art and Design to follow the United States Copyright Law of 1976 as amended (Title 17 United States Code hereinafter referred to as the "Copyright Act"). Accordingly, all faculty, staff and students of the Minneapolis College of Art and Design should follow these policy guidelines:

- Because a copyright notice is not required for copyright protection, most works should be presumed to be copyrighted.
- Copyrighted materials may be copied or otherwise used without the copyright owner's permission where such copying constitutes fair use. Employees in doubt whether use in a particular situation is fair use should consult the Library Director.

- Copyrighted software may be copied without the copyright owner's permission only in accordance with the Copyright Act. Section 117 of the Copyright Act permits making an archival backup copy. Most software, however, is licensed to the user, and the terms of the license agreement may give the user permission to make copies of the software in excess of the single archival copy permitted by the Copyright Act. As a result, the user's right to copy licensed software beyond those rights given under the Copyright Act may only be determined by reading the user's licensed agreement. Any copying or reproduction of the copyrighted software on Minneapolis College of Art and Design's system must be in accordance with the Copyright Act and the pertinent software license agreement. Faculty, students and staff may not use unauthorized copies of software on Minneapolis College of Art and Design's systems, or on computers or networks housed on the system.
- In order to copy or otherwise distribute or display materials, including software, where the materials are copyrighted, and the use exceeds what is permitted by the license, and the proposed use is likely not a fair use, permission must be obtained from the copyright owner.
- The Minneapolis College of Art and Design will terminate the account of any user who the Minneapolis College of Art and Design believes has repeatedly infringed the copyrights of others.
- The Minneapolis College of Art and Design's policy is to accommodate all standard technical measures designed to protect copyrighted works.
- The contact agent regarding copyright issues for the Minneapolis College of Art and Design is the Library Director. The contact agent's mailing address, phone number, and e-mail address are: Director, Library, Minneapolis College of Art and Design, 2501 Stevens Avenue, Minneapolis MN 55404, (612) 874-3700, [library@mcad.edu](mailto:library@mcad.edu). Notifications of claimed or suspected infringements should be directed to this agent.

#### 4.9 CONFLICT OF INTEREST

At times, staff or faculty members may be faced with situations where the actions they take on behalf of MCAD could conflict with their own personal or family interests. Employees must avoid situations in which their private interests inappropriately influence the actions they take at work. Employees must not use their MCAD positions for private gain for themselves or for persons with whom they have personal, business, or financial ties. The following are examples of conflicts of which are not permitted:

- You are prohibited from engaging in any business activities which conflict or may conflict with the interests of MCAD. You may not have an interest in and/or receive income from any enterprise doing business with or in competition with, MCAD.
- You are prohibited from being employed by, or acting as a consultant to, an MCAD supplier.
- You cannot own or have a substantial interest in a supplier or contractor to MCAD.
- You must not have a personal interest, financial interest or potential gain in an MCAD transaction.
- You may not place MCAD business with an entity owned or controlled by an MCAD employee or family member.

Exceptions to this policy require the prior written approval of the [President and Vice President Finance/CFO](#). If you believe you have an actual or potential conflict of interest, you are required to report it to your supervisor immediately.

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#### GIFTS, MEALS, AND ENTERTAINMENT:

Employees can accept occasional meals, refreshments, and entertainment if they are shared with the individual who has offered to pay for such courtesy provided that:

- Such courtesy is not inappropriately lavish or excessive.

- The employee accepting the courtesy would not feel uncomfortable discussing the courtesy with their supervisor or co-worker or having the courtesies known by the public.

Employees may accept token, unsolicited gifts, other than money, including:

- Flowers, fruit baskets and other modest presents that commemorate a special occasion.
- Gifts of nominal value, such as calendars, pens, mugs, caps and t-shirts (or other novelty, advertising or promotional items).

You may not give or receive anything that can be construed as a bribe, kick-back, or other illegal payment. Employees found to be in violation of this policy can be disciplined, up to and including termination.

#### 4.10 NONDISCLOSURE OF WAGES

MCAD does not require nondisclosure by an employee of their wages as a condition of employment; require an employee to sign a waiver or other document which denies an employee the right to disclose the employee's wages; or take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.

The College will not retaliate against an employee for asserting rights or remedies under this section. An employee may bring a civil action against an employer for a violation of these sections and a court may order reinstatement, back pay, restoration of lost service credit, if appropriate, and the expungement of any related adverse records of an employee who was the subject of the violation.

#### 4.11 PERSONNEL FILE

Personnel files are kept in the Office of Human Resources. You may review your file upon written request and in accordance with Minnesota law. The full text of the Minnesota Personnel Records Statute [Minnesota Statutes § 181.960-967 (2007)], which sets forth all your available rights and remedies, can be found at <http://www.leg.state.mn.us/leg/statutes.asp>.

Updates to your personal information such as address, home phone number, etc. can be submitted through MCAD's HRIS System. It is particularly important that you keep us informed of an emergency phone number, which can also be added or updated in MCAD's HRIS System.

You should inform the Office of Human Resources of any changes that involve your name, number of dependents, beneficiary or marital status, including divorce or legal separation or any other change that may impact your insurance policies and tax status.

#### 4.12 REPORTING SUSPECTED THEFT, FINANCIAL DISHONESTY, OR FRAUD

Like all organizations, MCAD is faced with the risks that come from theft, financial dishonesty or other fraud by MCAD volunteers and employees. MCAD manages these risks and their potential impact on MCAD in a lawful, ethical and professional manner. The impact on MCAD of theft, financial dishonesty or other fraud may include:

- the actual financial loss incurred
- damage to the reputation of MCAD
- the cost of investigation
- loss of employees
- loss of customers
- litigation
- fines and penalties

MCAD is committed to the deterrence, detection and correction of theft, financial dishonesty and other fraud by MCAD employees. The discovery, reporting and documentation of such acts provides a sound foundation for the protection of innocent parties, the taking of disciplinary action against offenders up to and including dismissal where appropriate, the referral to law enforcement agencies when warranted by the facts, and the recovery of losses and other expenses.

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#### DEFINITION OF THEFT, DISHONESTY AND OTHER MISCONDUCT

For purposes of this policy, theft, financial dishonesty and other fraud, includes, but is not limited to:

- theft or other misappropriation of assets of MCAD students, customers, suppliers or others with whom MCAD has a business relationship
- intentional misstatements in the financial records of MCAD
- forgery or other alteration of documents
- fraud and other unlawful acts

MCAD specifically prohibits these and any other illegal activities in the actions of its employees related to their employment by MCAD.

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#### REPORTING RESPONSIBILITY

Employees and volunteers who believe that theft, financial dishonesty and other fraud have been committed by an MCAD employee ("Concern") should report such Concern in accordance with this policy. Each employee of MCAD has an obligation to report in accordance with this policy questionable or improper accounting or auditing concerns.

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#### RETALIATION

This policy is intended to encourage employees to raise concerns within the College for investigation and appropriate action. With this goal in mind, no employee who, in good faith, reports a concern shall be subject to retaliation or adverse employment consequences because of the report of a concern. Moreover, an employee who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including dismissal from the volunteer position or termination of employment.

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#### REPORTING CONCERNS

Employees should first discuss their concern with their supervisor. If, after speaking with their supervisor, the individual continues to have reasonable grounds to believe the concern is valid, the individual should report the concern to the Vice President Finance/CFO. In addition, if the individual is uncomfortable speaking with their supervisor, or the supervisor is a subject of the concern, the individual should report their concern directly to the Vice President Finance/CFO.

If the concern was reported verbally to the Vice President Finance/CFO, the reporting individual, with assistance from the Vice President Finance/CFO, will put the concern in writing. The Vice President Finance/CFO is required to promptly report the concern to the Chair of the Audit Committee of the Board of Trustees, which has specific and exclusive responsibility to investigate all Concerns. If the Vice President Finance/CFO does not promptly forward the concern to the Chair of the Audit Committee, the reporting individual should directly report the concern to the Chair of the Audit Committee.



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## ANONYMOUS REPORTING

Employees who would prefer to report their concerns about theft, financial dishonesty and other fraud anonymously can contact Lighthouse, a third-party organization, which is available 24 hours a day, 7 days a week. Concerns will be reported to the College for evaluation and investigation on an anonymous basis. Lighthouse will make every effort to protect the reporter's identity. Please note, however, that because the information provided in the report to MCAD may be the basis of an internal and/or external investigation by MCAD into the issue being reported, it is possible that the reporter's identity may become known to MCAD during the course of the investigation. NOTE: Reports of sexual harassment, sexual violence, and grievances should not be made through Lighthouse, but through the processes described in those policies.

CONTACTING LIGHTHOUSE	
Online	<a href="http://www/lighthouse-services.com/mcad">www/lighthouse-services.com/mcad</a>
Email	reports@lighthouse-services.com (include MCAD's name in your report)
Phone	844-420-0088
Fax	215-689-3885 (include MCAD's name in your report)

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## RESPONSIBILITY AND AUTHORITY FOR FOLLOW UP AND INVESTIGATION

The Audit Committee has the primary responsibility for all investigations under this policy. The Audit Committee has the primary responsibility for investigating, and making appropriate recommendations to the President, with respect to all reported concerns under this policy.

Designated members of the investigative team will have:

- free and unrestricted access to all MCAD records and premises; and
- the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of investigative or related follow up procedures.

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## REPORTED INCIDENT FOLLOW UP PROCEDURE

Care must be taken in the follow up of suspected theft, financial dishonesty or other fraud to avoid acting on incorrect or unsupported accusations, to avoid alerting suspected individuals that follow up and investigation is underway, and to avoid making statements which could adversely affect the College, an employee, or other parties. Investigative or other follow up activity will be carried out without regard to the suspected individual's position or level or relationship with the College.

Accordingly, the general procedures for follow up and investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details regarding the reported concern.
2. All records related to the reported incident will be retained wherever they reside.
3. The employee reporting the concern should not communicate with the suspected individual(s) about the matter under investigation.
4. Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively.
5. All inquiries from an attorney or any other contacts from outside MCAD, including those from law enforcement agencies or from the employee under investigation, should be referred to the Audit Committee Chair.

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## ACTING IN GOOD FAITH

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates an improper accounting or auditing practice, theft, dishonesty or other financial misconduct. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

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## CONFIDENTIALITY

Reports of concerns, and any investigations relating to them, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.



## PART FIVE: TITLE IX AND HARASSMENT FREE WORKPLACE

### 5.1 EQUAL EMPLOYMENT OPPORTUNITY

MCAD's employment objective is to place employees in positions for which they are qualified and where they can make an effective contribution to the mission and vision. Additionally, it is the hope that employees have the opportunity to achieve personal career satisfaction, growth and development.

It is the policy of the Minneapolis College of Art and Design to provide equal employment opportunity. The College does not discriminate on the basis of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, gender, gender identity, gender expression, perceived gender, familial status, disability, age, marital status, genetic information, status with regard to receipt of public assistance, membership or activity in a local commission or any other characteristic protected by law.

### 5.2 GRIEVANCE PROCEDURE FOR STAFF EMPLOYEES

#### INTRODUCTION

The College recognizes that disputes can arise among employees. When possible, it is preferable that such disagreements be settled informally, with the employees speaking directly with each other. If the disagreement is still not resolved, the employees should discuss the matter with their immediate supervisors.

However, when the dispute relates to an employee's belief that one or more other employees have engaged in unlawful conduct, it is important that such disputes be brought to the attention of the administration. When a staff employee alleges unlawful discrimination or harassment on the basis of race, color, creed, religion, national origin, sexual orientation, disability, age, marital status, familial status or status with regard to public assistance, a grievance can be filed pursuant to the process described below.

Complaints of sexual harassment and/or sexual violence are to be raised in accordance with the [MCAD's Sexual Misconduct Policy which can be found on the MCAD Intranet under Title IX.](#)

#### FILING A FORMAL GRIEVANCE

If an employee is alleging discrimination or other unlawful conduct in connection with disciplinary actions, performance review, salary or other conditions of employment, the employee should notify his/her immediate supervisor, in writing, within thirty (30) days of the events that form the basis of the grievance. The employee's written grievance should be as specific as possible, and should include a statement of the facts, relevant documentation supporting the grievance, and the requested remedy. If the employee's grievance concerns the immediate supervisor, the employee should submit their written grievance to the AVP of Human Resources or the Vice President of Student Affairs.

The grievance will be promptly investigated. Such investigation may include a meeting with the grievant, the employee against whom the grievance is filed, and other individuals who may have knowledge of the events alleged in the grievance. The AVP of Human Resources or the Vice President of Student Affairs will respond to the grievance in writing.

If the grievance concerns the AVP of Human Resources or the Vice President for Student Affairs, the written grievance should be submitted to the President of the College. If the grievance concerns the President of the College, the written grievance should be submitted to the Chair of the College's Board of Trustees. If the grievant is dissatisfied with the decision by the Vice President for Administration, Vice President for Student Affairs or the President, the employee may file a written appeal with the Chair of the College's Board of Trustees. Such appeal must be filed within 14 days of the decision from the Vice President for Administration, Vice President for Student Affairs or the President. The decision of the Chair of the Board of Trustees is final.

Time spent by employees in meetings and interviews concerning a grievance during normal work hours is considered hours worked for pay purposes.

**5.3 SEXUAL MISCONDUCT POLICY**

The Minneapolis College of Art and Design (the "College" or "MCAD") is committed to fostering an atmosphere of mutual respect and to providing safe and nondiscriminatory learning and working environments. As such, the College prohibits and will not tolerate sexual misconduct by or against any member of the College community. Anyone who believes that this policy has been violated is encouraged to bring their concerns to the College's attention so that concerns can be addressed. The College prohibits retaliation for good faith reports or for participating in the College's processes set forth in [MCAD's Sexual Misconduct Policy which can be found on the MCAD Intranet under Title IX.](#)

MCAD has designated the following individuals to oversee and ensure its compliance with Title IX:

TITLE IX COORDINATOR	DEPUTY TITLE IX COORDINATOR
Jen Zuccola Vice President of Student Affairs Morrison Bldg, M104 Minneapolis, MN 55404 612-874-3626 <a href="mailto:jzuccola@mcad.edu">jzuccola@mcad.edu</a>	Autumn Amadou-Blegen AVP of Human Resources Morrison Bldg, M118 Minneapolis, MN 55404 612-874-3798 <a href="mailto:aamadoublegen@mcad.edu">aamadoublegen@mcad.edu</a>

The College provides confidential counseling services in the Student Affairs Office during fall and spring semesters for students who feel they have been victims of sexual violence. Benefits eligible staff and faculty may use the Employee Assistance Program (Health Partners: Twin Cities (866) 326-7194 or [www.hpeap.com](http://www.hpeap.com) for counseling and referral). Further information can also be found in [MCAD's Sexual Misconduct Policy which can be found on the MCAD Intranet under Title IX.](#)



## PART SIX: SAFETY AND WELLBEING

### 6.1 PUBLIC SAFETY

CONTACTING THE MCAD PUBLIC SAFETY OFFICE	
EMERGENCY	612-874-3555 or X1555
NON-EMERGENCY	612-874-3700 or X1700
NON-EMERGENCY EMAIL	public_safety@mcad.edu

The Department of Public Safety is responsible for the overall safety and security of all faculty, staff, students and visitors on campus. 24 hours a day, 7 days a week, and 365 days a year the department works toward its purpose of protecting life and property, preventing crime and providing a service to all members of the community. In addition, the department has responsibilities that range from alarm management to lost & found services, access control and parking services. Public Safety works closely with the Minneapolis Police Department on criminal matters, neighborhood issues, crime prevention, and campus safety in order to make a more safe and secure campus environment.

Public Safety employs full and part-time officers who have received specialized training, which includes law enforcement, conflict resolution, crisis management, and first aid (including an on-site AED defibrillator). Some of their duties include patrolling the campus, monitoring alarm panels and building cameras, answering the Colleges main telephone lines and emergency line as well as serving as a source of information to College faculty, staff, students and visitors.

Public Safety Officers will also provide escorts and vehicle jump-starts. Both of these services will be offered on campus and within a two-block radius of campus, 24 hours a day. Public Safety personnel encourage you to walk in groups, or if walking alone, call for an escort. To ensure safety on campus, Public Safety personnel may ask to see your MCAD identification card, so be sure to carry it with you at all times.

The safety and security of our campus and community is everyone's responsibility. If you are a victim or witness of any crime or incident, you are encouraged to make a report to Public Safety or the Minneapolis Police Department promptly. All reports will be documented and investigated. The

reporting of these crimes and incidents allows Public Safety to reassess security controls and patrol strategies, develop better methods of crime prevention, and notify the community when relevant by posting and e-mailing notices. Dial 612-874-3555 or X1555 in emergency situations, or 612-874-3700 or X1700 to reach MCAD Public Safety for routine security matters. For information on crime prevention, location of emergency call boxes, or any other safety and security matter, please contact Public Safety or stop at the office located in the main gallery.

## 6.2 SAFETY COMMITTEE

The Minneapolis College of Art and Design has established a Safety Committee that is composed of faculty, staff and student representatives from relevant operating units. Its primary purpose is to ensure as healthy an environment as possible for all students, employees and visitors.

In the event you become aware of a safety problem, please contact the AVP of Human Resources or the Occupation Health and Safety Coordinator.

Please reference the Emergency Action Plan Manual and Employee Safety Manual for more detailed information. These are available on the Occupational Health and Safety intranet page.

## 6.4 WORKPLACE INJURIES

If you are injured at work, seek appropriate care depending on the severity of the injury. As soon as possible, inform your supervisor and/or the Office of Human Resources so that a First Report of Injury can be completed.

As provided by law, the College carries insurance to cover on-the-job injuries. As part of our Workers' Compensation Program, the College has established a Return-to-Work Program. The goal of this program is, when appropriate, to return the injured employee to work (either to the original job or to a transitional assignment) as soon as possible, if feasible.

Generally, missed time not covered by workers' compensation (appointments, the first three days of missed work) should be designated as sick time. Additional information can also be found in the Employee Safety Manual located on the Occupational Health and Safety intranet website.

## 6.5 WEAPONS ON CAMPUS

The possession of firearms, explosives or ammunition, or any other dangerous material that can be used to inflict bodily harm or damage buildings is prohibited on College property.

## 6.6 SMOKING ON CAMPUS

The College instruction buildings (Main and Morrison) are smoke-free. Smoking is prohibited at the main entrances to the Main, Morrison and Liberal Arts buildings, as well as the east Main and Shop entrances and the Morrison loading dock entrance. Smoking is also prohibited within twenty (20) feet of all other entrances to the Main, Morrison and Liberal Arts buildings, as well as the dorms. A campus map of the prohibited areas for smoking can be found on the Human Resources Intranet Site under the Section entitled "Resources". This policy also applies to e-cigarettes and other smoking alternatives. Smoking will be permitted on the College Center balcony.

## 6.7 DRUGS AND ALCOHOL ON CAMPUS

An individual's involvement with drugs and alcohol can adversely affect academic and job performance, jeopardize an individual's well-being and undermine the professional and academic structure of MCAD. The goal of MCAD is to establish and maintain a creative environment free from

the effects of drug and alcohol abuse in compliance with the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act.

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#### **POLICY STATEMENT:**

The unlawful possession, use, distribution, manufacture or dispensing of illicit drugs and alcohol by students or employees is prohibited on MCAD property or as part of MCAD activities, except that alcohol may be possessed or consumed in moderation on MCAD property by persons 21 years of age or older in their dormitory rooms and/or approved campus catered events or in business meetings or other events related to their jobs.

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#### **SANCTIONS:**

Violation of this prohibition against illicit drugs and alcohol by a student may lead to a disciplinary sanction, up to and including suspension or expulsion. Employees are also subject to sanctions for violations occurring on MCAD property or the work site or during work time up to and including termination from employment. Referral for prosecution under criminal law is also possible for students and employees. Violations of the Student Code of Conduct are subject to the disciplinary procedures and sanctions applicable to other types of disciplinary infractions.

Sanctions may include:

- Warning and admonition
- Required compliance
- Confiscation
- Probation
- Suspension or expulsion
- Interim suspension
- Referral for criminal prosecution

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#### **LEGAL SANCTIONS UNDER FEDERAL, STATE, OR LOCAL LAWS FOR THE UNLAWFUL POSSESSION OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL**

Information about Minnesota controlled substance crimes and penalties can be found at the following website: <http://www.revisor.leg.state.mn.us/stats/152>

Information about Minnesota alcohol related crimes and penalties can be found at the following websites:

- <http://www.revisor.leg.state.mn.us/stats/169>
- <http://www.revisor.leg.state.mn.us/stats/340A>

Information about federal drug trafficking penalties for most drugs can be found at the following website: <http://www.justice.gov/dea/druginfo/ftp3.shtml>

Information about federal drug trafficking penalties for marijuana can be found at the following website: <http://www.justice.gov/dea/druginfo/ftp3.shtml>

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#### **HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS AND THE ABUSE OF ALCOHOL**



Information about the health risks of drug use and abuse can be accessed through the following website: <http://www.nida.nih.gov>

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## DRUG AND ALCOHOL PROGRAMS AVAILABLE TO EMPLOYEES OR STUDENTS

As an additional part of its Drug Free Awareness Program, MCAD currently provides counseling services through the Student Affairs Office. This counseling consists of an initial assessment of the potential drug and/or alcohol problem and referral to the appropriate agencies or treatment facilities in the community. Alcoholism, chemical dependency and drug addiction benefits are also available through the employee health plan currently offered by MCAD. Additionally, MCAD currently offers an Employee Assistance Program whereby employees may seek initial counseling and support for drug and/or alcohol related issues and/or problems. The individual referral may also contact a community service agency, such as the Minnesota Department of Human Services' Chemical Dependency Department, the Ramsey County Chemical Dependency Service, the Hennepin County Chemical Health Program, or the United Way First Call for Help. Individuals who need help are encouraged to seek it.

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## EMPLOYEE NOTIFICATION

Statement to employees on controlled substance use in the workplace:

The College will not tolerate controlled substance use by its employees anywhere in its facilities. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is strictly prohibited in any of the College's workplaces. Any employee found to be in violation of this prohibition will be subject to severe sanctions up to and including termination of employment with the College. All employees are required to notify the College of any criminal drug statute conviction for a violation occurring in the workplace within five (5) calendar days of such conviction. Continued employment with the College is expressly conditioned upon full compliance with this statement.

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## EMPLOYEE SANCTIONS

Within thirty (30) days of notification of a criminal drug conviction occurring in the workplace, MCAD will determine the appropriate personnel action, up to and including termination of employment with MCAD. The decision to sanction or terminate the convicted employee remains within the discretion of MCAD.

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## REPORTING OF VIOLATIONS

MCAD will report all employee convictions of a criminal drug statute occurring in the workplace to the appropriate federal contracting officer or granting agency within ten (10) days of actual notice of said conviction.

## 6.8 ANIMALS ON CAMPUS

Because of maintenance problems, damage and distractions, animals other than those assisting the disabled or as subjects for a drawing class are permitted in College buildings only on a limited basis (contact the Associate Vice President of Facilities in advance).

## 6.9 CAMPUS SECURITY/CLERY ACT REPORT

The Annual Campus Security Report is available in the Public Safety Department. This report includes campus crime statistics for the most recent three-year period and a broad range of institutional policies concerning campus security. These policies pertain to crime prevention, the reporting of crimes, and other important topics. A full copy of the report can be found at: <http://www.mcad.edu/campussecurityact>

You may also obtain a copy of this report by contacting the Public Safety Department, Minneapolis College of Art and Design, 2501 Stevens Avenue South, Minneapolis, MN 55404 or by calling 612-874-3700 or X1700.

## 6.10 CAMPUS SEX CRIMES PREVENTION ACT OF 2000

Faculty, staff and students are required to comply with the Sex Crimes Prevention Act of 2000, including registration with appropriate State Agencies if applicable. Information concerning registered sex offenders who are enrolled or employed at MCAD can be obtained from the Public Safety Department.

## 6.11 INCLEMENT WEATHER

In the event the College will close due to inclement weather or some other type of emergency, an announcement will be shared via Omnilert notification system (<https://mcad.omnilert.net/>) and will also be broadcast over WCCO TV, WCCO Radio (830 AM), KSTP TV, KSTP Radio (1500 AM). You can also go on-line to [wcco.com](http://wcco.com) and [kstp.com](http://kstp.com). An announcement will also be posted on the MCAD website at [www.mcad.edu](http://www.mcad.edu). If the College is officially closed on a regularly scheduled working day, benefits eligible employees will be paid based on the time they were scheduled to work.



## **PART SEVEN: SEPARATION OF EMPLOYMENT**

### **7.1 SEPARATION OF EMPLOYMENT**

When your employment with MCAD comes to an end, we hope your next adventure is a great one. Due to the at-will nature of employment at MCAD, any staff employee may leave employment with the College or may be terminated by the College at any time and for any reason, with or without prior notice. MCAD requests that all employees who plan to resign give a minimum of two (2) weeks written notice.

For payroll and benefit purposes, the last day of active employment will be the termination date. You will be paid for any accrued/unused vacation on a separate check. This vacation check will be direct deposited if this was established prior to your time of separation. Employees will not be paid for any accrued/unused sick or safe time or holiday time. MCAD will make additional deductions, if necessary, from your last check to cover your portion of your benefit coverage for health and dental insurance through the end of the month.

At the time of termination, all keys, credit cards, calling cards, ID cards, tools and equipment, library books or any other property issued to you must be promptly returned.

### **7.2 UNEMPLOYMENT COMPENSATION**

As provided by law, you may have the protection of unemployment insurance as administered by the Minnesota Department of Economic Security. This Department can be contacted for further information.

### **7.3 BENEFITS CONTINUATION (COBRA)**

In accordance with state and federal laws, terminating employees (and enrolled spouses and children) may be eligible to extend their medical, dental and life insurance benefits by paying the full group rate of such insurance for the period required by law. For a full statement of your extension rights, please see the current MCAD Benefits Guide.

## APPENDIX A: LEAVES OF ABSENCE & OTHER TIME OFF POLICIES

### FAMILY AND MEDICAL LEAVE

#### POLICY STATEMENT

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Employees who have been employed for at least twelve (12) consecutive months immediately preceding the request for FMLA leave and worked the equivalent of at least 1,250 hours during the preceding twelve (12) months, may take up to

A: Twelve (12) weeks of unpaid leave in each twelve (12) month period for any of the following reasons:

- the birth or adoption of a child;
- placement of a child for foster care;
- their own serious health condition;
- or to care for a family member (spouse, parent, or child) with a serious health condition
- because of any qualifying exigency arising out of the fact that the employee's spouse, child, parent or parent-in-law is on covered active duty in the Armed Forces, including the National Guard and Reserves, or has been notified of an impending call or order to covered active duty in the Armed Forces, including the National Guard and the Reserves. Please see Human Resources for the specific activities and events which constitute a "qualifying exigency" and "covered active duty."

B: Twenty-six (26) weeks of unpaid leave in each twelve (12) month period to care for a covered service member, including covered veterans, with a serious injury or illness if the employee is the spouse, child, parent, parent-in-law or next of kin of the service member. "Next of kin" means the nearest blood relative other than the spouse, parent, child, in the following order of priority: blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as their nearest blood relative for purposes of military caregiver leave under the FMLA.

An employee returning from fulfilling their military obligation shall be credited with the hours of service that would have been performed but for the period of military service in determining whether the employee worked the required equivalent of 1,250 hours of service.

When both a husband and wife are employed by MCAD, are eligible for FMLA leave and both use a portion of the total twelve (12) week FMLA leave entitlement for either the birth of a child, for placement for adoption or foster care, or to care for a parent, the husband and wife would each be entitled to the difference between the amount they have taken individually and twelve (12) weeks for FMLA leave for other purposes.

For purposes of calculation, the twelve (12) month period is a "rolling" twelve (12) month period measured backward from the first day of the FMLA leave. In some circumstances, as required by state law, additional twelve (12) week parenting and pregnancy leave can be taken within the one (1) year period upon the birth or adoption of a child.

If intermittent leave is requested in connection with the employee's serious health condition, the certification from a health care provider is required to document the need for intermittent leave.

Leave in conjunction with the birth, adoption or placement for foster care of a child must be taken within one (1) year of the birth, adoption or foster care placement.

## NOTICE TO MCAD

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If you know in advance that you will need FMLA leave, thirty (30) days' written notice is required whenever possible. Supervisors are to forward this written request to the Office of Human Resources. Otherwise, an employee must provide written notice as soon as practicable. Although verbal notice is sufficient in cases of medical emergency, the employee must submit written notice to the Office of Human Resources setting forth the reasons for the requested leave and the anticipated duration of the leave.

## CERTIFICATION

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In the event an absence of more than five (5) consecutive full days is required to care for your covered family member with a serious health condition, or due to your own serious health condition that makes you unable to perform your job, you are required to submit medical certification from a health care provider on a form furnished by the Office of Human Resources.

In the event your leave is for a qualifying exigency in connection with a covered military member, you must submit a certification that provides the information requested in the form furnished by Human Resources. This form must be accompanied by documents which support the request for the leave, such as a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered military member's active duty service. This information need only be provided to MCAD once. A copy of new active duty orders or other documentation issued by the military may be required if the need for leave because of a qualifying exigency arises out of a different covered active duty or call to covered active duty status (or notification of an impending call or order to covered active duty) of the same or a different military member. A qualifying exigency could include:

- Short-notice deployment (seven (7) or less calendar days prior to the date of deployment).
- Military events and related activities.
- Childcare and school activities.
- Financial and legal arrangements.
- Counseling.
- Rest and recuperation.
- Post-deployment activities.
- Arranging for alternative care.
- Attending meetings with staff at a care facility.

If the leave is taken to care for a covered service member with a serious injury or illness, MCAD requires the employee to obtain certification completed by an authorized health care provider of the covered service member. The certification must be on a form furnished by Human Resources.

MCAD can contact the employee's health care provider for purposes of clarification and authentication after MCAD has given the employee an opportunity to cure any deficiencies in the certification. An official from Human Resources, not the employee's supervisor, will contact the health care provider. If an employee chooses not to provide MCAD with authorization allowing MCAD to clarify the certification with the health care provider, and does not otherwise clarify the certification, MCAD can deny the taking of the FMLA leave if the certification is unclear. It is the employee's responsibility to provide MCAD with a complete and sufficient certification and to clarify the certification if necessary.

When leave is foreseeable and thirty (30) days' notice has been provided, you must provide certification before leave begins. Otherwise, the certification must be submitted within fifteen (15) calendar days after receipt of written notice that certification is required. Forms for this certification are available in the Office of Human Resources. Completed forms should be sent to the Office of Human Resources. Leave may be denied in the event of a failure or refusal to satisfactorily complete this form.

When the leave involves your serious health condition, a second or third opinion from a designated physician may be required at the College's expense. Recertification of your condition may be required every thirty (30) days or after the minimum duration of the condition stated in the certification. Recertification may also be requested if the circumstances in the previous certification have changed significantly, MCAD receives information that casts doubt upon the employee's stated reason for the leave, or the employee requests an extension of leave. If leave was taken as a result of your personal serious health condition, you must also provide certification from the health care provider stating that you are fit to resume your job; any restrictions you may have must be included in the certification.

## SALARY AND BENEFITS

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You may be eligible for sick pay and short-term disability for your own illness if not covered by Workers Compensation; sick pay may be taken for the serious illness of a child, spouse, parent or parent-in-law. In such cases, FMLA and sick/disability leave run concurrently. Earned vacation time may also be taken during the leave. Receipt of disability benefits will be contingent upon completion of a FMLA Health Care Provider Disability Benefits Form. Medical, dental, life, short-term and long-term disability insurances will be continued during the leave, up to twelve (12) weeks, with you paying your portion of any required premiums. If you are receiving a wage during the leave, the premiums will be deducted from your paycheck during the regular payroll cycle. If you know about your leave in advance, premiums can also be deducted in advance, in some circumstances. If you are not receiving a check, your premium portion is due the first of each month. If a check is not received by the 30th of the month, coverage may lapse. In that event, when you return from leave, coverage will be restored. Medical reimbursement accounts may be maintained by payroll deduction if you are receiving a check or prepaid if you are not receiving a check. Your monthly payment is due the 1st of each month.

If you decide not to continue your medical reimbursement account, you cannot be reimbursed for claims incurred during the period when coverage is terminated. If you elect to reinstate your medical reimbursement account upon return from FMLA, your coverage will be prorated to reflect the FMLA period during which no payments were made and reduced by prior reimbursements.

You may wish to suspend any dependent care reimbursement account contributions during the period of your Family and Medical Leave. Dependent care expenses incurred during the leave

cannot be reimbursed because such expenses were not incurred to enable you to work, as required by the IRS.

## REINSTATEMENT

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At the end of the FMLA leave, you will be restored to your prior position or to a position with equivalent benefits, pay, and other conditions of employment provided you have submitted a fitness-for-duty certification unless you would otherwise have been subject to layoff during the leave. You will retain all accrued, unused pre-leave benefits.

## PARENTING AND PREGNANCY LEAVE POLICY

Under Minnesota law, eligible employees can take up to twelve (12) weeks of unpaid leave in the following circumstances:

- upon birth or adoption of a child;
- a female employee for prenatal care, or incapacity due to pregnancy, childbirth or related health conditions.

Employees must give MCAD reasonable notice of the date the leave will begin and the estimated duration of the leave. For leave taken in connection with the birth or adoption of a child, the leave must begin within twelve (12) months of the birth or adoption. If, however, the child must remain in the hospital longer than the mother, the leave must begin within twelve (12) months after the child leaves the hospital. Employees are eligible for Parenting and Pregnancy leave if they have worked at least 1,000 hours in the twelve (12) month period immediately preceding the leave. If an employee is on an FMLA leave for pregnancy or pregnancy-related conditions, the FMLA leave and the Parenting and Pregnancy leave will run concurrently.

## SCHOOL CONFERENCES AND ACTIVITIES LEAVE

Employees may be granted up to sixteen (16) hours per year to attend school conferences or school-related activities of their children, provided these activities cannot be scheduled during non-work hours. If your child receives child care services or attends a pre-kindergarten regular or special education program, you may use this leave time to attend a related conference or activity, or to observe and monitor the services or program, provided the conference, activity, or observation cannot be scheduled during non-work hours. You may use accrued vacation time for these activities if you wish to be paid for the time taken; otherwise, the time taken will be unpaid. Please give reasonable notice of your intended leave to your supervisor so that any disruptions resulting from your absence can be minimized.

## BONE MARROW/ORGAN DONATION LEAVE

You will be granted a paid leave of absence of up to forty (40) hours of work if you seek to undergo a medical procedure to donate bone marrow or an organ. This leave may be taken on an intermittent basis. Please notify your supervisor, in advance, of the length of the leave, and then notify Human Resources so the appropriate steps and documentation can begin. A verifying document from the physician, of the purpose and length of the leave, will be required.

## UNPAID PERSONAL LEAVE OF ABSENCE

In situations where staff members are not eligible for FMLA or other leaves and/or have exhausted other available paid time (such as vacation, sick, and personal holiday), they should complete a [Leave of Absence \(LOA\) form](#), and submit it to their department supervisor for consideration for approval, ccing the Human Resources department. The department supervisor will notify Human Resources if the leave is approved. Such leaves may be granted on a case by case basis.

After three months of employment, you may request a non-medical leave-of-absence. This request must be made in writing, stating the beginning and ending dates of your leave and the reason for your leave. Leaves of up to five calendar days may be granted upon the approval of your department manager. Leaves of over five days also require the approval of the department manager's supervisor. A copy of the approved leave must be sent to the Human Resources Office. Leaves will only be granted when your absence does not negatively affect your department's ability to efficiently deliver service.

If you choose to take a personal leave, you are responsible for paying the full cost of those benefits for which you are enrolled. Employees on unpaid leave do not accrue vacation or sick days.

## TIME-OFF FOR VOTING

You may take reasonable time off from work to vote, without penalty or deduction from salary or wages because of the absence. Time off may be taken to vote in regularly scheduled state primaries or general elections, an election to fill the vacancy in the office of U.S. senator or U.S. representative, an election to fill the vacancy in the office of state senator or state representative, or a presidential primary. A request for time off to vote should be made to your supervisor in advance of your absence.

## OTHER POLITICAL LEAVES

An employee who is entitled to attend a major political party precinct caucus is permitted to be absent from work, without pay, to attend the caucus. Ten (10) days' written notice is required.

Employees may be absent from work, without pay, to attend any meeting of the state central committee or executive committee of a major political party if the employee is a member of the committee. Time off without pay can be also granted to attend any convention of a major political party if the employee is a delegate or alternate delegate. Ten (10) days' written notice is required.

Employees elected to public office are permitted unpaid time off or leave to attend meetings necessitated by the public office. You may use accrued vacation time for these activities if you wish to be paid for the time taken. When you take time off every effort will be made to allow you to make up the time with other hours worked. Please give reasonable notice of your intended time off or leave to your supervisor so that any disruptions resulting from your absence can be minimized.

## ELECTION JUDGE WAGES

Employees may be absent from work to serve as election judges. The College will pay the differential between election judge pay and your regular wages. Twenty (20) days' written notice is required, accompanied by a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve.



## BEREAVEMENT LEAVE

All regular full-time and part-time employees are eligible for bereavement leave. You will be granted up to three (3) working days leave of absence with pay for the purpose of attending or making arrangements in the event of a death in your immediate family (spouse, child, step-child, parent, step-parent, sister, step-sister, brother, step-brother, sibling of spouse, mother-in-law, father-in-law, grandparent, step-grandparent, grandchild, step-grandchild). An additional two (2) days of paid leave may be granted under certain circumstances, e.g., when the deceased relative lived in a distant location.

## MILITARY DUTY

The College recognizes duty requirements of members of the U.S. Armed Forces and will comply with applicable laws regarding military participation.

## JURY DUTY

The College encourages you to respond to calls for jury duty and will continue full pay for five (5) business days for regularly scheduled employees while you serve; your jury duty pay will not be deducted from this amount. While serving on a jury, you are expected to report for regular work hours to the extent permitted by the schedule of jury duty.

## CRIME VICTIMS LEAVE

MCAD will grant Reasonable Time Off from Work to employees:

- to attend criminal court proceedings in which the employee, his/her spouse, or immediate family have been the victim of a Violent Crime, or;
- to seek an order for protection under the Domestic Abuse Act or an order for protection against Harassment, or;
- who, as a Victim or witness of a Crime, are subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony in criminal proceedings related to the victim's case.

Except in cases of imminent danger or where otherwise impractical, employees must notify their supervisor 48 hours in advance of the need for Time Off under this policy. Upon request, employees must provide written verification supporting the need to be in court. Examples of verification include, but are not limited to the following: copy of the subpoena or a letter from the prosecutor. Information pertaining to leave taken under this policy will be kept confidential by MCAD.

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