



EMPLOYEE HANDBOOK



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Human Resource Policies and Procedures

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Welcome and Overview

Welcome to Burrell College of Osteopathic Medicine (BCOM or “the company”). Every employee of BCOM is a vital part of what we do here. This handbook has been prepared to inform new employees of the procedures of BCOM, to establish BCOM’s expectations and to provide a point of reference for ongoing employees. It is not all-inclusive or intended to provide strict interpretations of our policies; rather, it offers an overview of the work environment. This handbook is not a contract, expressed or implied, guaranteeing employment for any length of time, and is not intended to induce an employee to accept employment with the company. The company reserves the right to unilaterally revise, suspend, revoke, terminate or change any of its policies, in whole or in part, whether described within this handbook or elsewhere, at its sole discretion. If any discrepancy between this handbook and current company policy arises, conform to current company policy. Every effort will be made to keep you informed of the company’s policies, however, we cannot guarantee that notice of revisions will be provided. Feel free to ask questions about any of the information within this handbook. This handbook supersedes and replaces any and all personnel manuals previously distributed, made available or applicable to employees.

Every employee is responsible for reading the Handbook and being familiar with its contents. Failure to do so does not excuse an employee from complying with its provisions. The following information is provided as a reference only. All employees should always refer to the appropriate policy or policies for full information. For questions, or more information, contact the Human Resource Office.

Our Mission

Para la gente y el futuro: For the people and the future, the Burrell College of Osteopathic Medicine at New Mexico State University (BCOM) is dedicated to improving the health of the Southwestern United States and Northern Mexico through culturally humble undergraduate, graduate and continuing osteopathic medical education, research and clinical service to the community.

BCOM is focused on increasing diversity in the physician workforce and fostering a practice of life-long learning, compassion, respect and excellence in its students.

Overview of BCOM

The BCOM was formed as a privately funded college of medicine located in Las Cruces, New Mexico. BCOM's goal is to provide a critically needed solution to acute physician shortages in the "Borderplex" region of southern New Mexico, west Texas, and north east Mexico. BCOM will operate on the campus of, and in affiliation with, New Mexico State University ("NMSU"), a public university, with a wide variety of health care undergraduate and graduate programs. BCOM will offer a traditional medical degree curriculum consistent with both the allopathic and osteopathic teaching models.

WORKPLACE COMMITMENTS

Equal Opportunity Employment

BCOM is an equal opportunity employer and does not discriminate against employees or applicants for employment on the basis of an individual's race, ethnicity, color, religion, creed, sex, national origin, age, disability, marital status, veteran status or any other status protected by applicable law. This policy applies to all terms, conditions and privileges of employment, including recruitment, hiring, placement, compensation, promotion, discipline and termination. Whenever possible, the company makes reasonable accommodations for qualified individuals with disabilities to the extent required by law. Employees who would like to request a reasonable accommodation should contact the Human Resource Office.

BCOM's Non-Discrimination Policy

It is the firm policy of BCOM is not to discriminate on the basis of race, ethnicity, color, creed, sex, age, religion, national origin, disability, familial status, ancestry, sexual orientation, gender identity or spousal affiliation in its programs, activities, hiring, or the admission of students.

This policy applies in recruitment and admission of students, employment of faculty and staff, and scholarship and loan programs. This policy is also followed in the operation of all other programs, activities and services of the College

BCOM subscribes to the principles and adheres to the requirements of state and federal law pertaining to civil rights and equal opportunity, in accordance with the requirements of Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended; and the Age Discrimination Act of 1975, as amended.

Evidence of practices inconsistent with this policy should be reported to the Director of Human Resources, who is the designated coordinator of BCOM's non-discrimination program. Inquiries regarding compliance with the sex discrimination provisions of Title IX may also be directed to the Assistant Secretary for Civil Rights, Department of Education, Washington, D.C.

Reporting

Any employee who feels that he or she has been harassed or discriminated against, or has witnessed or become aware of discrimination or harassment in violation of these policies, should bring the matter to the immediate attention of his or her supervisor or BCOM's Human Resources Department. BCOM will promptly investigate all allegations of discrimination and harassment, and take action as appropriate based on the outcome of the investigation. An investigation and its results will be treated as confidential to the extent feasible, and the company will take appropriate action based on the outcome of the investigation.

No employee will be retaliated against for making a complaint in good faith regarding a violation of these policies, or for participating in good faith in an investigation pursuant to these policies. If an employee feels he/she has been retaliated against, the employee should file a complaint using the procedures set forth above.

Disabilities

BCOM is committed to equal access to all programs, services, employment opportunities and activities to persons with disabilities and complies with all provisions of the Americans with Disabilities Act (ADA) and the Rehabilitation Act. A qualified individual with a disability will not be excluded from activities, practices, benefits or privileges of employment due to disability status.

Requests for accommodations under the ADA must be made in writing to the Human Resource Office. BCOM will make reasonable accommodations to enable persons with a disability to perform the essential functions of his or her job.

At-Will Employment

Employment at BCOM is at-will. An at-will employment relationship can be terminated at any time, with or without reason or notice by either the employer or the employee. This at-will employment relationship exists regardless of any statements by office personnel to the contrary. Only the Human Resource Director is authorized to modify the at-will nature of the employment relationship, and the modification must be in writing and approved in writing by both the Dean and CEO.

Background Reviews/DrugScreens

All regular employees who are hired, rehired, transferred, promoted, reclassified, or appointed to temporary positions will be subject to background review. The background review will be conducted at the initial time of hire, and may be periodically updated. A signed Background Check Release Form is required as part of the application process, and must be present before any background review may be conducted. The background review may include, but not be limited to:

- Credential verification (academic degrees certification, professional licenses, etc.)
- Criminal history and identity (federal, state and local)
- Employment references
- Consumer credit reports
- Drug testing
- Social Security Number traces
- Motor vehicle driving history

Any adverse information on an applicant or employee shall not automatically disqualify a candidate for the position being sought or held conditionally, pending results of the review.

Material misrepresentations or omissions on an application document may be grounds for rejection of the application, termination of employment, or refusal of subsequent employment consideration with BCOM.

All information obtained through the background review is highly confidential and will be released only under conditions consistent with applicable law.

Retaliation

BCOM prohibits retaliation against any student or employee for filing or responding to a complaint of discrimination or harassment, appearing as a witness or participating in the investigation of a complaint, or reporting a concern that opposes discrimination or harassment.

Work Hours

BCOM's individual work schedules will generally conform to the public hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. However, with the approval of the Dean, departments may establish alternate work schedules if it is determined they better meet the needs of the college and/or better serve the needs of an individual employee without adversely affecting the college. Alternate work schedules are to be of a semi-permanent nature. All requests and subsequent approval or denial of alternate work schedules are to be in written form. It is understood that not all jobs are open/available for alternate work schedule consideration.

Identification Card

All BCOM employees will be issued an identification badge that must be worn at all times. Badges may be required to access outside entrances and for building access after business hours.

Campus Access

The BCOM campus is generally accessible to employees 24 hours a day via an issued key card.

Dress Code

An employee's personal appearance and hygiene is a reflection on the company's character. Employees are expected to dress appropriately for their individual work responsibilities and position. Determination of appropriate dress is made by the employee's supervisor.

Tobacco Free

BCOM is a smoke/tobacco free campus. BCOM prohibits smoking/use of tobacco products in all buildings and/or property owned or leased by BCOM (including classrooms, laboratories, offices, hallways, lavatories, indoor or outdoor common areas, administration facilities, indoor workplaces, BCOM parking lots and common grounds of BCOM). Smoking is also prohibited within 25 feet of entrances or exits, within 50 feet of any area where flammable materials are handled or stored, or where other significant fire hazard may exist, in vehicles owned, leased or rented by BCOM, and during some organized outdoor events on BCOM property.

Drug-Free / Alcohol Free Environment

Employees are prohibited from unlawfully consuming, distributing, possessing, selling, or using controlled substances while on duty. In addition, employees may not be under the influence of any controlled substance, such as drugs or alcohol, while at work, on company premises or engaged in company business (Notwithstanding this, there may be occasions, removed from the usual work setting, at which it is permissible to consume alcohol in moderation, with management approval. Employees who consume alcohol under such circumstances may not report back to work during that workday.).

Prescription drugs or over-the-counter medications, taken as prescribed, are an exception to this policy. Anyone violating this policy may be subject to disciplinary action, up to and including termination.

[Open Door Policy](#)

BCOM has an open door policy and takes employee concerns and problems seriously. BCOM values each employee and strives to provide a positive work experience. Employees are encouraged to bring any workplace concerns or problems they might have or know about to their supervisor or some other member of management.

[HIRING PRACTICES](#)

[Procedures](#)

The recruitment, selection, and hiring of employees is accomplished by the employing department with approval of the Dean and executive management (where applicable), as stated in the HR policy.

[Employee Start Dates](#)

All new hire employees will coordinate their employment start date with BCOM Office of Human Resources. Employee health/dental benefits will begin the first of the month following 30 days of employment and employees become eligible to participate in retirement benefits after working one hour within thirty days.

[New Employee Probation](#)

[Non-Contract Employees](#)

New non-contracted employees, hired for regular status full or part-time positions, have a ninety-day probationary period. During this time, BCOM can terminate the employee without internal appeal rights. At the end of 90 days of continuous regular status employment, probationary status ends and non-contracted employees are then entitled to internal appeal rights. Probationary status may be continued with the approval of the CEO and Human Resource Director.

[Contract Employees](#)

Contracted staff and faculty may be hired under the terms of an employment contract. The terms and conditions of employment, including probationary status if applicable, are stated in the contracts.

[Temporary Employees](#)

Temporary employees are hired as needed and, therefore, not considered regular status employees. Rights for appeal are not available to temporary employees under BCOM policies.

Personnel Files

BCOM maintains a personnel file on each employee in the Office of Human Resources. These files are kept confidential to the extent possible. Employees may review their personnel file upon request.

It is important that personnel files accurately reflect each employee's personal information. Employees are expected to inform the Office of Human Resources of any change in name, address, phone number, marital status, number of dependents or emergency contact information.

COMPENSATION AND BENEFITS

Pay Periods

BCOM reserves the right to establish pay periods. All employees will be paid employee compensation through direct deposit program. If the pay date lands on a holiday, payroll will be distributed on the closest business day before the holiday. The pay will reflect work performed for the period. Paychecks include salary or wages earned less any mandatory or elected deductions.

BCOM is authorized to make deductions from employees' compensation to include mandatory federal or state withholding tax, Social Security, Medicare, other withholdings (to include court mandated) and those deductions authorized by the employee (401(k) contributions, health insurance premiums, etc.)

Employees must notify the Office of Human Resources if their pay appears to be inaccurate. Advances on pay earned, are not permitted. Information regarding final payroll disbursement can be found under the termination section of this handbook.

Employment Classification

This company assigns positions, determines wages and compensates employees for overtime in accordance with state and local laws and the Fair Labor Standards Act.

Staff Work Classifications

Regular (Full Time) Benefit Eligible.—Employed on a regularly scheduled 40-hour basis for a nonspecified period.

Regular (Part Time) Benefit Eligible.—Employed on a regularly scheduled basis which is less than 30 hours per workweek but equals or exceeds 20 hours per week for a nonspecified period.

Regular (Part Time) Limited Benefit Eligibility.—Employed on a regularly scheduled basis which is less than 20 hours per workweek.

Temporary Not Benefit Eligible—Employed on a regularly or nonregularly scheduled basis of less than 20 hours per week for a period not to exceed 1 year.

Faculty Work Classifications

Faculty definitions are defined in the Faculty Handbook.

Exempt Employees

Exempt employees are those that are excluded from the overtime pay requirements of the Fair Labor Standards Act. Exempt employees are paid a salary and are expected to work beyond their normal work hours whenever necessary to accomplish the work of BCOM. Exempt employees are not eligible to receive overtime compensation. Employees should consult with an administrator if they have questions regarding their classification as an exempt employee.

Non-Exempt Employees

Non-exempt employees are those eligible for overtime pay at the rate of 1.5 times the regular hourly rate of pay for all hours worked over 40 per work week. All overtime must be approved in advance. Employees should consult with an administrator if they have questions regarding their classification as a non-exempt employee. For more information on employment classification, see www.dol.gov.

Attendance Policies

Absenteeism

BCOM does not tolerate absenteeism without excuse. Employees who will be late to or absent from work should notify a supervisor in advance, or as soon as practicable in the event of an emergency. Chronic absenteeism may result in disciplinary action. Unreported absences for a period of three (3) consecutive workdays will be considered a voluntary resignation. Employees who need to leave early, for illness or otherwise, should inform a supervisor before departure. Unauthorized departures may result in disciplinary action.

Tardiness

Employees are expected to arrive on time and ready for work. BCOM recognizes that situations arise which hinder punctuality; regardless, excessive tardiness is prohibited, and may be subject to disciplinary action.

WORK PERFORMANCE

Professional Conduct

BCOM expects all employees to adhere to the highest standards of professional conduct and integrity. This ensures that the work environment is safe, comfortable and productive. Employees should be respectful, courteous, and mindful of others' feelings and needs. General cooperation between coworkers and supervisors is expected. Individuals who act in an unprofessional manner may be subject to disciplinary action.

Expectations

BCOM expects every employee to act in a professional manner. Satisfactory performance of job duties and responsibilities is key to this expectation. Employees should attempt to achieve their job objectives, and act with diligence and consideration at all times. Poor job performance can result in disciplinary action, up to and including termination.

Guidelines for Conduct/Ethical Standards

This Employee Handbook contains the standards of conduct for BCOM. It is not possible to list every type of conduct which may result in disciplinary action. Therefore, an employee should talk to his/her supervisor or manager if he/she is unsure of what to do in a given situation. The following kinds of conduct while at the workplace or representing BCOM offsite, are absolutely prohibited and can lead up to disciplinary action up to and including termination of employment:

- Abuse, mistreatment, or threatening of any person, either physical, verbal, or psychological.
- Engaging in acts of discrimination or harassment in the workplace;
- Falsification, misrepresentation or omission of information, documents or records.
- Using foul and/or abusive language.
- Discussing anyone's salary or hourly wage information.
- Disregard of one's appearance, uniform, dress or personal hygiene.
- Dishonesty.
- Commission of a crime.
- Excessive tardiness or unauthorized absence by an employee from his or her work station during an employee's working time.

- Immoral, indecent or disorderly conduct of any nature.
- Unauthorized use and/or possession of narcotic or dangerous drugs, or being under the influence of intoxicants or drugs on premises during working hours.
- Possessing, distributing or being under the influence of illicit controlled substances;
- Being under the influence of a controlled substance or alcohol at work, on company premises, or while engaged in company business;
- Any discourtesy, unkindness or impatience with any person.
- Possession of firearms or any other type of weapon while on company property.
- Damage, destruction or theft of company property, equipment, devices or assets;
- Unauthorized possession/use of property, equipment, devices or assets belonging to the company, including removing company property without prior authorization or disseminating company information without authorization.
- Negligent or deliberate destruction of or misuse of property belonging to the company.
- Unauthorized possession, use, copying or reading of BCOM's records, patient's records, administrative data or disclosure of information contained in such records to unauthorized persons.
- Disregard for safety and security procedures.
- Acting in a manner which will damage the reputation of BCOM.
- Disparaging or disrespecting supervisors and/or co-workers.
- Any act of misconduct (including insubordination or refusal to comply with directives), incompetence, or any violation of this Employee Handbook.
- Any other action or conduct that is inconsistent with company policies, procedures, standards or expectations.

This list exhibits the types of conduct or events that are subject to disciplinary action. It is not intended to indicate every act that could lead to disciplinary action. BCOM reserves the right to determine the severity and extent of any disciplinary action based on the circumstances of each case.

BCOM strives to maintain the highest standards of personal, business and medical ethics. Employees are required to do the same. An employee's daily activities on behalf of BCOM should always be carried out in an ethical and legal manner, and conflicts of interest should be avoided. Possible conflicts of interest should be reported immediately for review and/or approval.

In addition to the above, BCOM has adopted the American Osteopathic Association (AOA) Code of Ethics and it is expected that all employees will adhere to these

guidelines. The AOA guidelines are available on American Osteopathic Association's website at <http://www.osteopathic.org/inside-aoa/about/leadership/Pages/aoa-code-of-ethics.aspx>. A copy of AOA's guidelines is also available from BCOM's Human Resources Department.

Performance Reviews

BCOM will communicate expectations and evaluate an employee's performance. Employees will receive a 90 day evaluation (completed the month following the 90 day probation period) and an annual evaluation (to be completed by the end of May). The goal of a performance review is to identify areas where an employee excels and areas which may need improvement. Supervisors are encouraged to provide feedback on a continuing basis regarding employee performance, and employees are encouraged to engage their supervisors regarding expectations and the execution of their duties. The company uses performance reviews as a tool to determine pay increases, promotions and/or terminations. Supervisor may add any number of evaluations if performance issues are noted.

All performance reviews are based on merit, achievement and other factors that may include, but are not limited to:

- Quality of work
- Attitude
- Knowledge of work
- Job skills
- Attendance and punctuality
- Teamwork and cooperation
- Compliance with company policy
- Past performance reviews
- Improvement
- Acceptance of responsibility and constructive feedback
- Meeting specific goals and job requirements

Employees should note that a performance review does not guarantee a pay increase or promotion. Written performance evaluations may be made at any time to advise employees of unacceptable performance. Evaluations or any subsequent change in employment status, position or pay does not alter the employee's at-will-relationship with the company. Any questions regarding performance expectation or evaluations should be directed to the supervisor conducting the evaluation.

Insubordination

Supervisors and employees should interact with mutual respect and common courtesy. Employees are expected to take instruction from supervisors or other persons of authority. Assignments provided to support staff, should be work-related and should never include any type of personal errands and/or favors. Acts of insubordination are subject to disciplinary action, up to and including termination.

If an employee disagrees with a supervisor, the employee should first try to mediate the situation by explaining their position. If possible, a compromise might be met and accusations of insubordination avoided.

DISCIPLINARY POLICY

Grounds for Disciplinary Action

BCOM reserves the right to discipline and/or terminate any employee who violates company policies, practices or rules of conduct. Poor performance and misconduct are also grounds for discipline or termination.

Procedures

Disciplinary action is any one of a number of options used to correct unacceptable behavior or actions. Multiple disciplines can be imposed and need not be sequential or progressive. The following are examples of, but not limited to, the types of employee discipline that may be imposed:

- Verbal warning
- Written reprimand or warning
- Performance Improvement Plan (PIP)
- Probation with specified conditions for a specific period of time
- Suspension from employment for a specific period of time
- Demotion
- Involuntary Termination and/or dismissal for cause.

The course of action will be determined by BCOM at its sole discretion as it deems appropriate; not every action above may be followed in the given order, dependent upon the severity of violation of policy.

Termination (Voluntary/Involuntary)

Employment with BCOM is on an at-will basis and may be terminated voluntarily or involuntarily at any time. BCOM recognizes that personal situations may arise which require a voluntary termination of employment. Should this occur, the company requests that the employee provide two weeks advance notice in writing, unless otherwise noted in contract. Contract employees are subject to the terms listed in their employment agreement. This request does not alter an employee's at-will relationship with the company.

All rights and privileges of employment with the company terminate upon the date of separation. Terminating employees are required to return all company property assigned to them. Failure to do so may result in the withholding of their final ACH.

Upon termination, an employee is required:

- to continue to work until the last scheduled day of employment;
- to turn in all reports and paperwork required to be completed by the employee when due and no later than the last day of work;
- to return all files (including electronic), documents, equipment, keys, access cards, software or other property belonging to the company that are in the employee's possession, custody or control, and
- turn in all passwords to his/her supervisor;
- to participate in an exit interview as requested by the Human Resource Department.

Final Paycheck

Employees who voluntarily terminate employment will be given their final payroll disbursement on the next scheduled payroll date following termination date. Should the employee be unable to personally retrieve their final ACH payment, they should contact the Human Resources Department.

Exit Interview

BCOM may request an exit interview upon notice of termination. The purpose of the exit interview is to complete necessary forms, collect company property and discuss employment experiences with the company.

Company Property

BCOM property, such as equipment, vehicles, telephones, computers, electronic devices, and software, is not for private use. These devices are to be used primarily for company business. BCOM property must be used in the manner for which it was intended. Upon termination, employees are required to surrender any company property they possess. BCOM computers, internet access and email services are a privileged resource, and must be used only to complete essential job-related functions. Employees

are not permitted to download any “pirated” software, files or programs and must receive permission from a supervisor before installing any new software on a company computer. Files or programs stored on company computers may not be copied for personal use.

Phones are provided for business use. BCOM requests that employees minimize personal calls while on duty. If urgent, please keep personal calls to a minimum and conversations brief. Personal long distance calls are not permitted.

Employees are reminded that they should have no expectation of privacy in their use of company computers or other electronic equipment.

All employees must acknowledge that they have read and understand the terms of the Acceptable Use Policy. Violations of this policy may cause restriction or elimination of access, disciplinary action or civil or criminal penalties.

Privacy

Employees and employers share a relationship based on trust and mutual respect. However, BCOM retains the right to access all company property including computers, desks, file cabinets, storage facilities, and files and folders, electronic or otherwise, at any time. Employees should not entertain any expectations of privacy when on company grounds or while using company property.

All documents, files, voice-mails and electronic information, including e-mails and other communications, created, received or maintained on or through BCOM property are the property of BCOM, not the employee. Therefore employees should have no expectation of privacy over those files or documents.

LEAVE POLICIES

Annual Leave

All full-time and part-time employees are eligible for vacation leave benefits, unless otherwise noted in a contract. Part-time employees working 20 to 28 hours per week will earn vacation on a prorated basis. Part-time employees working less than .50 FTE, temporary employees, graduate assistants, and other student employees are not eligible to accrue leave. Full-time employees are those working 29+ hours per week. Vacation is accrued according to the schedule in the policy. Vacation can be used only after it is earned. Vacation leave will not be earned during an unpaid leave of absence.

Requests for leave will be considered by a supervisor with primary consideration given to the requirements of the job. BCOM is flexible in approving time off when doing so

would not interfere with company operations. Vacation days are granted only on a full day or half day basis.

Sick Leave

All full-time and part-time employees are eligible for sick leave benefits. Part-time employees working 20 to 28 hours per week will earn sick leave on a prorated basis. Part-time employees working less than .50 FTE, employees, temporary employees, graduate assistants, and other student employees are not eligible to accrue leave. Full-time employees are those working 29+ hours per week. Sick leave is accrued according to the schedule in the policy. Sick leave can be used only after it is earned. Sick leave will not be earned during an unpaid leave of absence.

Bereavement

In the event of the death of a member of the immediate family, an employee is allowed a leave with pay, not to be charged against sick or annual leave, of up to 3 regular working days in order to attend the funeral or to handle affairs immediately associated with the death. For purposes of this policy, "immediate family member" includes spouse, a domestic partner, a child, parent or legal guardian, a sister or brother, a grandparent, or a grandchild. Such familial relationships created by law are also included (i.e. mother/father in law, half or step siblings).

Family and Medical Leave Act Leave

BCOM offers leave consistent with the requirements of the federal Family and Medical Leave Act (FMLA). In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

General Provisions

Under this policy, BCOM will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12 month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

If the need for leave is foreseeable, employees should notify a supervisor 30 days prior to taking FMLA leave. If the need for FMLA leave arises unexpectedly, employees should notify a supervisor as soon as practicable, giving as much notice to the company as possible.

Employees may be required to provide: medical certifications supporting the need for leave if the leave is due to a serious health condition of the employee or employee's family member; periodic recertification of the serious health condition; and periodic reports during the leave regarding the employee's status and intent to return to work.

Employees must return to work immediately after the serious health condition ceases, and employees who have taken leave because of their own serious health condition must submit a fitness-for-duty certification before being allowed to return to work.

Under certain circumstances, FMLA leave may be taken on an intermittent or reduced schedule. If FMLA leave is for the birth, adoption, or foster placement of a child, use of intermittent or reduced schedule leave requires the approval of the company. When leave is taken intermittently, the company may transfer the employee temporarily to another position with equivalent pay and benefits, which is better suited to periods of absence.

BCOM will continue to contribute the employer portion of the medical and dental insurance premiums during the family leave. The employee must pay the employee's portion of health and dental premiums on a timely basis in order to continue coverage and both the employee and employer's share of other coverages as described in "Leave Without Pay".

If an employee fails to return from FMLA leave, the employee will be required to repay the employer's share of any insurance premiums paid by the employer during leave without pay.

Use of FMLA Leave

Employees approved to take leave for FMLA purposes must use accrued sick leave for conditions involving themselves and qualified dependents (up to six weeks for parents or adult children with serious health condition who do not meet the definition of dependent in the sick leave policy).

Annual leave for purposes of FMLA may only be taken when available sick leave is exhausted and will be subject to approval or disapproval by the employee's supervisor. If annual leave is denied, leave without pay may be used for FMLA purposes. FMLA leave periods will run concurrently with any accrued paid leave taken.

Military Leave

Employees called to active military duty, military reserve or National Guard service may be eligible to receive time off under the Uniformed Services Employment and Reemployment Rights Act of 1994.

Military Training Leave: BCOM provides paid training leave for its employees who are members of organized units of the Army or Air National Guard or Army, Air Force, Navy or Marine Reserves, in an amount not to exceed 15 days annually when they are ordered to active duty training with such organized units. Such leave shall be in addition to other leave or vacation time with pay to which such employees are otherwise entitled. Military

leave may only be used for training purposes and is not available to employees who are mobilized or volunteer for active duty.

Employment Status: Employees that are mobilized or volunteer for active duty status will be placed on leave without pay until the date of discharge or release from active duty status, at which time the employee will return to regular employment.

Administrative Leave

The term "Administrative Leave" describes the situation when an employee is temporarily relieved of his or her normal responsibilities, continues to receive regular pay and benefits, and is normally required to remain at home during regular work hours. Administrative leave is not a category of leave, like sick leave or annual leave, but describes a person's work status.

Administrative leave is used rarely and only when it is necessary to temporarily address a particular situation. An employee is only placed on administrative leave when the company determines that the employee cannot be allowed to remain in the workplace.

The most common reasons (but not exclusive) for placing an employee on administrative leave are:

1. As a prudent business practice to secure particularly sensitive information or resources when warranted by the circumstances.
2. To facilitate the investigation of allegations of misconduct, which if true, could place persons or University resources in jeopardy.
3. To remove an individual from the workplace who is behaving disruptively pending assessment of the situation.

Jury Duty

BCOM understands the importance of employees fulfilling their civic responsibility as jurors. Jury duty is that service and time spent away from BCOM as a result of a subpoena or notice issued by the court and counts as time worked. Supervisors are authorized to grant jury duty leave upon the presentation of the subpoena or notice issued by the court.

Employees are not required to report for work after serving 8 hours of jury duty during the day. BCOM employees, who have successfully completed their orientation period, will receive compensation at their current rate of pay for time spent in jury duty, not to exceed their regular pay. Employees will not be compensated for jury duty service during regularly scheduled non-workdays. Temporary employees will not receive compensation. However, they may be reimbursed through or by the appropriate court. If service is less than 8 hours in a day, employees will return to work for the remainder

of their 8-hour shift (or may request annual leave). Regular employees may not receive any form of compensation from state courts other than mileage. Employees are to provide their supervisor a written statement furnished by the court indicating the number of days or hours served. It is the responsibility of the employee to keep the supervisor informed of the anticipated time to be spent away from the job.

Employees must use annual leave or leave without pay for jury duty/witness service in a jurisdiction other than that of their primary work locale, with the exception of employees residing in El Paso and working in Las Cruces.

Voting Time Off

Employees are encouraged to participate in elections. On Election Day, any registered voter may be absent from employment for 2 hours for the purpose of voting between the time of opening and the time of closing the polls. The appropriate supervisor may specify the hours during this period in which the voter may be absent. This does not apply to employees whose work day begins more than 2 hours subsequent to the time of opening the polls or ends more than 3 hours prior to the time of closing the polls. This policy applies to city, county, state and national elections.

Leave Without Pay

Unpaid leave is discretionary. Regular full-time employees may request Leave without Pay (LWOP) after the exhaustion of all accrued leave balances. LWOP may be granted for a period up to 90 calendar days. Requests for LWOP will be approved or disapproved by the Dean.

An employee granted LWOP must make arrangements through the Human Resources Department to pay the full cost (employer and employee) of insurance premiums and make timely payments to BCOM. Employees who do not make timely premium payments by the last day of the month are subject to having their coverage cancelled.

Employees on LWOP do not accrue annual or sick leave. All days, including legal holidays, in the interim period between the date LWOP commences and the date the employee actually returns to work are taken without pay.

Holidays

BCOM currently observes the following holidays. All regular employees are eligible for holiday pay (full-time receive 8 hours per day and part-time receive 4 hours per day). Certain situations and/or employee status may disqualify an employee from receiving holiday pay.

Martin Luther King, Jr. Day
Memorial Day
Independence Day
Labor Day

Thanksgiving Day
Friday following Thanksgiving Day
Christmas Eve Day through New Year's Day

BCOM reserves the right to change the above paid holidays and/or designate certain holidays as a floating holiday. If approval is made for a floating holiday, the floating holiday must be taken within 30 days from the actual holiday. When the holiday falls on a Saturday, the preceding Friday is observed; when a holiday falls on a Sunday, the following Monday is observed. If the beginning of the Winter Break (Christmas Eve Day) falls on a weekend, the preceding Friday is observed and if the end of the Winter Break (New Year's Day) falls on a weekend, the following Monday is observed.

Any eligible non-exempt employee shall forfeit payment for any holiday if the employee has an unexcused absence on the last regular work day preceding such holiday or on the first regular work day following such holiday.

Employees on leave without pay are not entitled to holiday pay. An employee returning from leave without pay must be on the job at least one day for each day of the holiday period immediately before and after the holiday.

An employee's first day of work may not begin on a holiday.

Weather-Related Closures

When adverse weather conditions lead to a delayed opening and/or cancellation of classes and office hours (established by the Dean), information will be provided through the following sources:

- Local media will be notified
- An e-mail to all BCOM employees will be sent to each address on file
- An alert will be sent via text message
- A message will be posted on the BCOM website (www.bcomnm.org)

It is the responsibility of every BCOM employee to check BCOM communications. In the event of a BCOM closure, employees who were scheduled to work that day will receive their normal pay. This does not apply to temporary employees.

EMPLOYEE BENEFITS

This handbook contains descriptions of some of our current employee benefits. Many of BCOM's benefit plans are described in more formal plan documents available from the Human Resources Department. In the event of any inconsistencies between this handbook or any other oral or written description of benefits and a formal plan document, the formal plan document will govern. BCOM reserves the right to add or remove optional benefit programs at any time.

Health/Dental Insurance

BCOM offers group medical/dental insurance for all eligible employees. Regular full-time and part-time (working more than 20 hours/week) employees are eligible to participate in the group policy. Optional dependent coverage is available. Part-time employees (less than 20 hours/week), temporary employees, graduate assistants, and other student employees are not eligible to participate in the group policy.

Coverage is optional and is available from the date of eligible employment. Coverage is effective the first of the month following 30 days of employment. Employees must complete and return the enrollment form to the Human Resource Department within 15 calendar days of their hire date to receive this benefit.

Coverage is not automatic. Within the first 30 calendar days of employment, each eligible employee must either enroll in or waive coverage under the policy by completing an enrollment form. Details of coverage and provisions of the medical plan are available in the plan Benefit Summary.

Health/dental benefits are paid in part by BCOM. The remainder of the cost is the employee's responsibility. Employees can receive details about benefits provided, contribution rates and eligibility from the Human Resources Department.

Employees may continue insurances during the leave-without-pay period by paying 100 percent of the total premiums (both employee and employer shares). Any employee called to active duty who discontinues insurance coverages during the leave-without-pay period may be placed immediately back on the plans upon return to employment without providing evidence of insurability.

Injuries/illnesses sustained during the active duty period will not be covered by the group health plan. These conditions would be covered by the Veterans Administration.

Retirement Plan

BCOM participates in a 401(k) plan so that employees may save a portion of their earnings for retirement. Regular employees, must have completed one hour of service within 30 days to be eligible to participate. Employees may elect to make regular contributions to the 401(k) plan up to the maximum amount allowed by federal law.

Contact the Human Resources Department for detailed information regarding eligibility, employee contributions, vesting period or employer contributions. More information can also be found in the plan summary description, which is available from the Human Resources Department. If there are any inconsistencies between this handbook and any of the Summary Plan Descriptions, the Summary Plan Descriptions shall govern. The company reserves the right to modify or terminate any or all of its retirement benefits or to change benefit providers at any time with or without notice.

Workers' Compensation

As required by law, BCOM provides workers' compensation benefits for the protection of employees with work-related injuries or illnesses. Workers' compensation insurance provides coverage to employees who receive job related injuries or illnesses. If an employee is injured or becomes ill as a result of his/her job, it is the employee's responsibility to immediately notify a supervisor of their injury in order to receive benefits. Report every illness or injury to a supervisor, regardless of how minor it appears. The company will advise the employee of the procedure for submitting a workers' compensation claim. If necessary, injured employees will be referred to a medical care facility. Employees should retain all paperwork provided to them by the medical facility. Failure to report a work-related illness or injury promptly could result in denial of benefits. An employee's report should contain as many details as possible, including the date, time, description of the illness or injury, and the names of any witnesses.

A separate insurance company administers the worker's compensation insurance. Representatives of this company may contact injured employees regarding their benefits under the plan. Additional information regarding workers' compensation is available from the Human Resources Department.

Approved by:

CAO/Dean

Date

President

Date

Acknowledgement of Receipt

Employee Handbook/Internet Acceptable Use Policy

(Employee Copy – Keep with handbook)

I acknowledge that I have received a copy of the BCOM Employee Handbook and the Internet Acceptable Use Policy.

I understand that I am responsible for reading the information contained in the Handbook. I understand that the handbook is intended to provide me with a general overview of the company's policies and procedures. I acknowledge that nothing in this handbook is to be interpreted as a contract, expressed or implied, or an inducement for employment, nor does it guarantee my employment for any period of time.

I understand and accept that my employment with the company is at-will. I have the right to resign at any time with or without cause, just as the company may terminate my employment at any time with or without cause or notice, subject to applicable laws. I understand that nothing in the handbook or in any oral or written statement alters the at-will relationship, except by written agreement signed by the employee and the Human Resource Director.

I acknowledge that the company may revise, suspend, revoke, terminate, change or remove, prospectively or retroactively, any of the policies or procedures outlined in this handbook or elsewhere, in whole or in part, with or without notice at any time, at the company's sole discretion.

(Signature of Employee)

(Date)

(Company Representative)

Acknowledgement of Receipt

Employee Handbook/Internet Acceptable Use Policy

(BCOM Copy – Sign and Return to HR Mgr.)

I acknowledge that I have received a copy of the BCOM Employee Handbook and the Internet Acceptable Use Policy.

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(Signature of Employee)

(Date)

(Company Representative)