



Hauptman Woodward Medical Research Institute, Inc.

Employee Handbook



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INTRODUCTION

This handbook sets forth the current personnel policies of the Hauptman-Woodward Medical Research Institute hereafter referred to as the "Institute" or "HWI". The policies described supersede all rules, regulations, policies, handbooks and customs heretofore established. These policies may be modified, suspended or eliminated at any time at the sole discretion of the Institute with or without notice. Moreover, the Institute may from time to time make exceptions to these policies at its discretion. These exceptions shall not act as a precedent of any kind. In the event that any of these policies conflict with State or Federal laws, the latter shall apply. This handbook along with any future updates should be thoroughly reviewed and retained throughout your employment. This handbook shall not be considered a contract of employment for any purpose.

Some subjects described in this handbook, such as available benefit plan information, are covered in detail in official plan documents. You should refer to these plan documents for specific information. This handbook only briefly summarizes those benefits. Copies of any available benefit plans can be obtained by contacting the Human Resource Coordinator. In the event of a conflict between this handbook and the plan documents, the terms of the written plan documents or insurance policies are controlling.

SECTION I

EMPLOYMENT INFORMATION AND POLICY

EMPLOYMENT RELATIONSHIP

You and Hauptman-Woodward Medical Research Institute (HWI) are engaged in an “at-will” employment relationship. Therefore, employment at HWI is for no definite period of time and may, regardless of the time and manner of payment of wages, salary, or benefits, be terminated at will. This means that either you or HWI may terminate the employment relationship at any time, with or without reason, or advance notice.

No one else at HWI has the authority to enter into any agreement contrary to this at-will relationship and cannot be altered except in writing signed by the CEO/Executive Director of HWI, and you. HWI is also not bound by any oral promises concerning your length of employment.

EQUAL EMPLOYMENT OPPORTUNITY

The Hauptman-Woodward Medical Research Institute, Inc. (HWI) as an equal opportunity employer, extends employment opportunities to qualified applicants and employees on a non-discriminatory basis without regard to race, color, sex, creed, age, religion, national origin, marital status, veteran status, sexual orientation, genetic predisposition, carrier status, or disability that would prevent the performance of the essential requirements of the job with or without a reasonable accommodation in compliance with the appropriate New York State and Federal laws, or any other legally protected characteristics. This policy applies to all conditions and terms of employment.

EMPLOYEE CLASSIFICATION

Executives, Scientific Faculty, Post Doctoral Research Fellows and Associates, Research Associates and all support personnel are classified into one of the following categories:

- full-time* - for employees regularly scheduled to work at least 37.5 hours per week for HWI;
- geographic full-time* - for employees that physically work at HWI, or at an established remote location but receive at least part of their wages from another organization
- part-time* - for employees regularly scheduled to work less than 37.5 hour per week for HWI;

Additionally, an employee is considered:

- regular* - when it is anticipated that the staff position will exist for an indefinite period exceeding twelve months;

Or

provisional - when it is anticipated that the position will exist for anything **less than** twelve months; or the individual is considered a graduate student;

Employees are further classified according to federal and state wage and hour laws into two additional categories of exempt and non-exempt as defined below. Management will make the appropriate designation regarding the status for each new position, or when a position changes substantially. If you are uncertain as to your status, ask the Human Resource Coordinator.

Exempt - An employee who is exempt from the overtime pay requirements under federal and state laws.

Non-exempt - An employee who is paid a wage according to the numbers of hours worked and whose job calls for overtime payment as appropriate under state and federal regulations.

GRADUATE STUDENTS

The following are general policies that apply to Structural Biology graduate students while they are in a course of study and employed at HWI.

- Graduate students will be classified as part-time provisional HWI employees and will not accrue time for vacation, sick, emergency, parental leaves or holidays. Graduate students will be paid on the basis of an annual stipend amount.
- As part-time employees of HWI, the students appropriate Federal and State Income Tax will be withheld.
- FICA will not be withheld provided each graduate student is a full time student. FICA tax will be withheld during the semesters that full time student status is not attained (i.e. summer)
- Graduate students are covered under HWI's disability and workmen's compensation policies.
- Health insurance will be offered through the University and paid by HWI from the graduate student sponsor's available funding. Health Insurance will be included automatically on your fall tuition bill unless it is waived. You may be eligible to sign up for health insurance at various times during the year via the following link <https://www.aetnastudenthealth.com/storefront/welcome.aspx?groupID=100116>.
- Tuition will be paid by HWI from the graduate student sponsor's available funding. (Fees will be considered on a year by year basis based on availability of departmental funding for this purpose).
- Graduate students are not eligible to participate in the HWI 403(b) plan.
- Graduate students will receive a W-2 from HWI at the end of year.

UNDERGRADUATE STUDENTS AND INTERNS

- Undergraduate students and interns are not considered employees of the Institute (see separate interns handbook)

VISITING RESEARCH SCIENTIST

Scientific knowledge is increased by the free and open sharing of scientific information. To this end, the Hauptman-Woodward Institute welcomes scientists with appointments at other institutions to visit the Institute. While at HWI, the visiting scientist is strongly encouraged to interact with our scientists, both through participation at in-house seminar series and through informal conversations.

The Visiting Research Scientist title designates visitors working at HWI for a specified period from one week to one year. The specific title, always preceded by "visiting," should reflect the actual duties of the visitor. A visiting research scientist is thus primarily occupied with research. Incumbents are not accorded principal investigator status. Typically, visiting appointments are provisional and do not participate in employee benefit programs.

Appointment

The visiting research scientist shall receive a letter of appointment from the Chief Executive Officer of HWI. Only the CEO of HWI may extend a formal offer of appointment.

Term of Appointment

All visiting appointments shall be for fixed terms. Terms may be renewable, but typically should not extend beyond one year per appointment period. Consecutive serial reappointments are strongly discouraged since the cross-institutional fertilization of such visits becomes minimal. Appointments may be terminated at short notice by the CEO or the host PI for any reason. The visiting scientist position is not an employment relationship with HWI but rather a professional courtesy, and no long-term commitment to any employment at HWI is implied in the offer of a visiting scientist position.

Host PI

Visiting scientists must be sponsored by a current HWI Research Scientist. Application for a visiting scientist position should be made directly to a current Research Scientist at HWI. The host PI must accept overall responsibility for the conduct of the visiting scientist, as he or she would for any member of his or her laboratory staff. Should the host PI be unable or unwilling to accommodate the visiting scientist before the end of the official term of appointment, the appointment shall be terminated from that date.

The visiting scientist and his or her equipment should be accommodated within the assigned laboratory space of the host PI. If additional space is required to accommodate the visiting scientist and his or her equipment, the use of such space shall be considered temporary and must be approved by all affected HWI PIs. However, realizing that it is in everyone's interest to

maximize the productivity of all scientists at HWI, both permanent and visiting, the guiding philosophy in such situations shall be to try to accommodate the needs of the visiting scientist as long as it does not disrupt the ongoing scientific work of the Institute.

Visiting Scientist Staff

The visiting scientist shall not have hiring privileges and may not employ an independently compensated staff within the Institute. Members of the visiting scientist's home laboratory that visit HWI must receive independent visiting appointments, usually through the host PI, if their stay exceeds one week.

Access to common facilities

Visiting scientists shall have access to common laboratory space and facilities, as would any member of the host PI's lab. Whenever there are costs associated with the work of the visiting scientist, the visiting scientist shall pay for them unless the host PI has previously agreed to pay for them out of his or her research funds. Access to other resources of HWI will be negotiated on an individual basis.

Chemicals and Radioisotopes

For safety and liability reasons, the visiting scientist must provide the institute with a list of all chemicals that are being brought to HWI from the visiting scientist's home lab. The list should be updated when any chemicals that are purchased by the visiting scientist are shipped to HWI. As per state regulations, radioisotopes purchased or shipped for use at HWI can only be ordered by HWI PIs. If the visiting scientist needs to work with radioisotopes, he or she must first get the proper credentials from the chair of the Radiation Safety Committee.

HOURS

The official business hours are 8:30 a.m. to 4:30 p.m., Monday through Friday. Employees must take one-half hour for lunch which is excluded from paid working time. Any variation from normal hours must have the approval of your supervisor. If you expect to be late or absent, for any reason, you should notify your supervisor or the switchboard operator within an hour of your normal starting time.

TIME AND ATTENDANCE REPORTS

Time and Attendance Reports are to be completed in semi-monthly intervals by all employees of the Institute with the exception of Executives and Graduate students. Time sheets should be completed electronically on the Institute's electronic time sheet reporting software. Once an employee electronically submits time, their supervisor will then be required to approve/reject. This must be completed within five days after the last day of the payperiod. Falsification of time reports is a serious infraction and could result in dismissal. Any questions regarding the proper completion of the time reports should be referred to your supervisor, Human Resource Coordinator, or anyone in the Finance Department.

PAYDAY - PAY PERIOD

Employees are paid semi-monthly on the 15th and the last business day of each month. Thus, there are 24 pay periods each year. A payday falling on a holiday, a Saturday or a Sunday is moved to the closest business day prior to the normal payday. If employees are absent on payday, the Finance Department will hold their check until their return unless otherwise instructed in writing. Any questions regarding paychecks should be brought to your supervisor or the Finance Department.

PAYROLL DEDUCTIONS

The following payroll deductions are required by law and are automatic.

1. Federal Income Tax
2. State Income Tax
3. Social Security (FICA/Medicare)

Although New York State law does permit a portion of the cost of disability insurance to be withheld from employees' pay, nothing is deducted as the entire cost of short term disability insurance is paid by the Institute.

Deductions for the following are voluntary but a written authorization must be on file:

1. Health Insurance
2. Life Insurance
3. Additional Withholding for Federal and/or State Income Tax
4. Retirement Plan
5. Flexible Spending Account
6. Dental Insurance
7. Health Savings Account
8. Disability Insurance

If you believe that an improper deduction has been made to your salary, you should immediately report this information to the Human Resource Coordinator. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed in your next paycheck and HWI will make a good faith effort toward future compliance.

DIRECT DEPOSIT

Employees may make arrangements to have their paycheck deposited directly to their account at any bank. There is a limit of up to four banks and four accounts for direct deposit. If interested in direct deposit, notify the HR Coordinator.

OVERTIME

Every effort should be made to complete work assignments during regularly scheduled work hours. Sometimes, however, overtime work is unavoidable and employees will be expected to work overtime, as necessary. Overtime work must be authorized by the appropriate supervisor. Advance notice of the need to work overtime will be provided whenever possible.

The regularly scheduled work week is 37.5 hours. Non-exempt employees will be compensated for work beyond the regular 37.5 hour work week (Sunday through Saturday) at one and one-half the employee's straight time hourly rate.

SALARY ADJUSTMENT

A new employee will start at a salary related to the immediate responsibilities to be performed. Support departments may be evaluated on an annual basis and salary adjustments may be made based in part on that evaluation. Scientific salaries are tied to funding sources. Salary adjustments may or may not be given to scientific salaried personnel based on the availability of funds.

PERSONNEL CHANGES

Employees will receive written notification from the Human Resources Coordinator of personnel actions such as hiring, reclassification, promotion, demotion, transfer or separation, as well as changes in status, title, salary, etc. This action will be initiated by a Department Head or Principal Investigator and approved by an Officer or Director. This notice will specify the effective date of the action, the type of action, and any comments necessary to explain the action.

CHANGES IN PERSONAL INFORMATION

It is important that you keep the administration informed of any changes in your name, address, telephone number or who to notify in case of an emergency. You should also report changes in marital status or dependents that may affect withholding taxes or medical insurance. Employees are required to make these changes on-line at <https://www.portal.adp.com>. Most of your human resource information is available on this secure portal site.

PERFORMANCE RATING REPORTS

The first six months of employment are considered very important and performance will be monitored closely. During this time employee/supervisor conferences may be held to evaluate capabilities and potentials. Eligibility for participation in employee benefit plans and accrual of

the various types of leave during the initial period of employment is outlined later in this handbook.

During the course of employment, if an employee's performance should warrant corrective action, as in the case of misconduct or unsatisfactory work performance, the employee may be terminated or placed on probation for a specified period of time. If the grounds for such action are not resolved within this probationary period, termination will result.

TERMINATION

Resignation: A resigning employee is requested to give a minimum of two weeks' written notice to their supervisor stating the effective date and reason for the resignation. This is not intended to undermine the employment at-will relationship. Resignation forms are available from the Human Resource Coordinator. Salary for accrued vacation time will be paid at the time of termination. If an employee is terminated for cause, based on a violation of policy, procedure, or a criminal action, accrued vacation time will not be paid at the time of termination. The Institute reserves the right to request that vacation leave be taken prior to the termination date. An employee who officially resigns and subsequently seeks reinstatement will usually be regarded as a new employee regardless of length of previous service or length of separation.

An employee may be terminated for poor performance, misconduct, lack of work or any other reason deemed sufficient by the Institute. A terminated employee will be notified of the effective date and reason for dismissal. When possible and appropriate, the employee will be given two weeks notice of termination or two weeks pay in lieu of dismissal notice unless the employee has been employed less than six months. An employee terminated for misconduct shall not be entitled to two weeks pay in lieu of notice. Misconduct includes, but is not limited to, dishonesty, insubordination, misuse of computer facilities, or violation of the drug or alcohol or gun-free workplace policy.

After proper notification of pending termination, employees are asked to follow the specific separation procedures as put forth in the separation memo as well as departmental requirements.

DRUG-FREE WORKPLACE

One of the Institute's primary objectives has always been to provide a safe, healthful and pleasant working environment for Institute employees. Among other things, this means that all employees must be in suitable mental and physical condition at all times while on Institute premises or doing Institute work. The work environment must be kept completely free of substance abuse and its harmful and dangerous effects. Substance abuse applies to drug and alcohol abuse.

The Institute is formalizing this long-standing policy at this time in order to comply with contract procurement and performance requirements imposed by the Federal Government. The work rules

stated in this policy will be strictly enforced in order to preserve the job safety, productivity, and healthful working environment that we all want, as well as to comply with the Federal regulations.

If any employee has a drug or alcohol problem which could put him or her in conflict with Institute rules, the employee must do whatever is necessary to see that this does not happen. The Institute does not wish to dictate its employees' private life-style choices, but it cannot permit anyone's involvement with drugs or alcohol to affect our work together. As stated in a Federal contract regulation, "The use of illegal drugs or abuse of alcohol, on or off duty, by employees can impair the ability of those employees to perform tasks that are critical to proper contract performance and can also result in the potential for accidents on duty and for failures that can pose a serious threat to national security, health, and safety."

The Institute recognizes drug and alcohol dependency as an illness and a major health problem, and it will provide information about these issues to try to help employees avoid the problem or seek professional treatment if needed. In the last analysis, however, it is the responsibility of the individual employee to obtain whatever assistance may be needed to control a substance abuse problem and keep drugs and alcohol out of the work environment. Every employee must ensure that his or her personal activities do not result in a violation of Institute work rules, including the Federally-mandated rules in this policy.

Federal Drug Free Workplace Rules

Any unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on Institute premises, or while on Institute business away from the premises, is strictly prohibited.

If any employee is convicted under a criminal drug statute (including a plea of nolo contendere) for a violation that occurred on Institute premises, or while the employee was on Institute business away from the premises, the employee must notify the Institute no later than five (5) days after the conviction. The notification must be given in writing to the Executive Vice President for Administration.

The foregoing rules are conditions of employment with the Institute, and all employees agree to comply with these rules as a condition of their continued employment. Any violations of these rules will be dealt with by strict disciplinary measures, including termination of employment, as the Institute shall deem appropriate.

The foregoing rules are in addition to all other Institute rules, policies and procedures, written or unwritten. This obviously includes other Institute rules which could be violated as a result of substance abuse (including abuse of alcohol and other non-controlled substances), for example rules dealing with attendance, tardiness, and job performance. Employees are expected to comply with all Institute rules, and violations for any reason, whether drug-related or otherwise, will not be tolerated.

SMOKING

Hauptman-Woodward Institute has been designated as a Smoke Free Work Environment. Smoking is prohibited in **all** enclosed areas on the Institute premises. This policy is intended to implement the requirements of State and Local laws governing smoking. All employees and any visitors, vendors and all other invitees and persons who come into our premises are strictly required to comply with this policy.

SAFETY/SECURITY

The safety of our employees and visitors is of paramount importance. As an Institute employee, you play an important role in eliminating and preventing safety hazards. As part of our safety program, you may be required to attend various training sessions such as for handling hazardous materials or radiation safety training. Any working conditions deemed to be unsafe or defective equipment should be reported to your supervisor and/or a member of the Safety Committee.

To ensure employees safety, do not let any strangers into the building unless you accompany them to the person they are here to see. Call the switchboard operator if you are not sure where they are to go so appropriate action can be taken.

Employees are not permitted to bring firearms or any other weapons (such as knives or clubs) onto HWI property or into the HWI building. Failure to comply with this policy is considered to be a serious matter, and is grounds for immediate dismissal.

HAZARDOUS MATERIALS

Employees should know what chemicals are in the building and how to address possible hazards. In accordance with OSHA regulations, an alphabetical master list of all chemicals in the building is maintained and is available in the HWI library. The HWI number assigned to each chemical on the list corresponds to that noted on the Material Safety Data Sheets (MSDS) from the supplier. The originals of all MSDS are in numerical order in the MSDS notebooks also in the library. Additionally, you can access these MSDS from the following links: http://www.uos.harvard.edu/ehs/onl_msd.shtml, <http://siri.org>. Instructions for finding a specific MSDS are in the front of each notebook. Information on specific chemicals may also be obtained on the internet.

Investigators are required to know the properties of the materials they use, including the shelf-life. They are responsible for informing co-workers of their correct use, hazards, risk factor and proper disposal. All containers should be clearly labeled. Employees are encouraged to ask questions regarding any phase of their work or work environment.

Employees should report any safety hazard or problem with fumes to the Safety Committee and/or Administration so appropriate action can be taken. Instructional sessions are held by the HWI Safety Committee and Radiation Safety Committee as needed.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

The Institute is an equal opportunity employer. All levels of management are responsible for implementing the equal employment policy of providing opportunities to employees and applicants based upon such qualities as ability, performance, skill, potential and general fitness, without regard to race, color, sex, creed, age, religion, national origin, marital status, veteran status, sexual orientation, genetic predisposition, carrier status, or disability that would prevent the performance of the essential requirements of the job with or without a reasonable accommodation in compliance with the appropriate New York State and Federal laws, or any other legally protected characteristics. This policy extends to decisions involving hiring, compensation, promotion and all other terms and conditions of employment. Every employee is responsible for ensuring the compliance with and practicing this policy.

Any complaint of discrimination should be brought to the immediate attention of your supervisor, the Human Resource Coordinator or any Executive of the Institute.

ANTI-HARASSMENT POLICY

A. Purpose

The Institute is committed to offering employment opportunity based on ability and performance in a climate free of discrimination. Employment discrimination is prohibited at this Institute not only because it is unlawful, but because it is wrong. Among the forms of discrimination prohibited by the Institute is unlawful harassment, as discussed in this policy. In addition, the Institute will endeavor to protect employees, to the extent possible, from reported harassment in the workplace by non-employees; and will likewise take steps to prevent our employees from harassing non-employees.

B. Prohibited Forms of Harassment

Consistent with Equal Employment Opportunity Commission guidelines, harassment is defined as verbal or physical conduct which denigrates or shows hostility or aversion to an individual because of his or her race, color, sex, creed, age, religion, national origin, marital status, veteran status, sexual orientation, genetic predisposition, carrier status, or disability, or any other legally protected characteristics, or that of his or her relatives, friends or associates, and which:

- a) Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
- b) Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- c) Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to, the following:

- a) Epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts (even if claimed to be "jokes" or "pranks") which relate to race, color, sex, creed, age, religion, national origin, marital status, veteran status, sexual orientation, genetic predisposition, carrier status, or disability, or any other legally protected characteristics; and
- b) Written or graphic material which denigrates or shows hostility or aversion toward an individual or group because of race, color, sex, creed, age, religion, national origin, marital status, veteran status, sexual orientation, genetic predisposition, carrier status, or disability, or any other legally protected characteristics, and is displayed or circulated in the workplace.

Any harassment of Institute employees in violation of the foregoing rules is absolutely prohibited and will not be tolerated.

C. Sexual Harassment

The Equal Employment Opportunity Commission has separate guidelines dealing with sexual harassment, which is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

For example, the following kinds of behavior or other conduct, which has a similar harassing effect, is absolutely prohibited:

- a) Abusing an employee through insulting or degrading sexual remarks, jokes, innuendoes, or other sexually oriented conduct (including, among other things, graphic or descriptive comments relating to an individual's body or physical appearance, sexually oriented teasing or pranks, improper suggestions, objects or pictures, or unwanted physical contact); or
- b) Threats, demands or suggestions that an employee's work status depends in any way upon tolerating or accepting sexual advances or sexually oriented conduct.

D. Retaliation

Retaliation against employees for exercising their rights under this policy is also strictly prohibited, and will not be tolerated. This would include retaliation against employees for inquiring about their rights, or for making an honest complaint of a violation or possible violation, or for truthfully assisting in a complaint investigation.

E. Procedures

All employees and employment applicants are encouraged to promptly report any conduct that they are subject to, or that they witness, which violates this policy. If the Institute does not know about the conduct, it cannot act.

Complaints or inquiries may be made confidentially to your supervisor. If you have not heard back from your supervisor within five business days after lodging an official harassment complaint, you must notify the Human Resource Coordinator of your complaint. Alternatively, you may initially discuss the matter with any supervisor you trust to forward complaints/reports to appropriate authority. Those individuals will then bring complaints to the attention of the Administration or the Human Resource Coordinator. In all cases the matter must be brought to the attention of higher management because of the need for consistency and centralized decision-making in the implementation of this policy.

Complaints and inquiries will be kept confidential to the extent practicable, consistent with the need to conduct an adequate investigation. Any employee who is determined to have committed harassment or retaliation in violation of this policy will be subjected to appropriate disciplinary measures up to and including termination.

PROBLEMS/COMPLAINTS

If you have a problem at work, you should discuss it with your supervisor and try to resolve it. If it cannot be resolved at this level to your satisfaction, the matter should be referred in writing to the Human Resource Coordinator. If it remains unresolved, it may be referred to the CEO/Executive Director whose decision shall be final.

SCIENTIFIC MISCONDUCT

The following is the policies and procedures of the Hauptman-Woodward Medical Research Institute, Inc. (HWI) for dealing with possible misconduct in performing scientific research. The purpose of this policy is to prevent, detect, and deal with possible misconduct in HWI research programs.

"Misconduct" is defined as (1) serious deviation, such as fabrication, falsification, or plagiarism, from accepted practices to carry out research or in reporting the results of research; or (2)

material failure to comply with federal requirements affecting specific aspects of the conduct of research, e.g., the protection of human subjects and the welfare of laboratory animals.

Policy

The HWI expects research investigators to observe the highest standards of professional conduct. All allegations or other indications of possible misconduct shall be promptly reviewed by the CEO and Executive Vice-President, and those which are not frivolous or unsubstantiated shall be thoroughly investigated. All allegations that are substantiated after investigation shall result in appropriate administrative action according to the specific circumstances of the case. Such administrative action may include termination of the individual's appointment at the HWI.

Accusations of falsifying or misrepresenting data or authorship are among the most serious charges that can be lodged against an investigator. Any person contemplating such accusations should fully consider the gravity of the accusation and its consequences and should make every reasonable effort to avoid lodging charges that prove to be devoid of a substantial element of truth. Frivolous or false accusations may also constitute grounds for administrative action.

The primary objectives of the process described below are to enable the HWI to reach valid conclusions about the alleged misconduct, while safeguarding the rights of the affected parties. Specifically, the HWI policy provides for confidential treatment, prompt and thorough inquiry and/or investigation, and the opportunity to respond to all allegations and/or findings.

During inquiry into and investigation of allegations, confidentiality shall be observed in the interests of all parties except that the CEO and Executive Vice-President of the HWI (referred to in the following pages simply as CEO and EVP) shall advise appropriate board members, supervisors, and any sponsoring agency, as necessary. The CEO may delegate any authority described herein.

All proceedings will be in accordance with applicable policies and contractual obligations of the HWI. All individuals meeting with an Inquiry or Investigating Committee may be accompanied by a representative. Each Committee may establish its own rules of conduct within these guidelines.

1. Allegations

Charges of scientific misconduct should be brought to the supervisor of the department in which such conduct allegedly occurred. The department head shall immediately inform the CEO or the EVP. If the person being accused is a supervisor, the charge should be brought directly to the CEO or EVP. An initial inquiry shall be instituted except for charges originating with a sponsoring agency which may proceed to complete investigation at the discretion of the CEO.

2. Initial Inquiry

Information gathering and initial fact-finding will be conducted to determine whether an allegation of apparent misconduct warrants an investigation.

a. The CEO or EVP shall advise the accused of the allegations and appoint an Inquiry Committee (Due precaution against real or apparent conflicts of interest being taken) of

no more than three (3) individuals to conduct an initial inquiry into the allegations. Legal counsel shall advise the Inquiry Committee.

b. Private and separate sessions will be conducted to hear the accuser, the accused, and others as determined necessary by the Inquiry Committee. All evidence that is produced which bears directly upon the charges shall be reviewed and secured.

c. The Inquiry Committee shall make a report and recommendation to the CEO and the EVP within five (5) working days after the CEO has been informed of the charge. Under exceptional circumstances, the CEO may extend this period, not to exceed thirty (30) days.

d. Two basic recommendations may follow from this initial inquiry: 1) the allegations are without merit; or 2) the allegations have sufficient substance to warrant further investigation. In either case, subsequent action may be recommended.

e. The CEO and the EVP shall review the recommendation and supporting rationale of the Inquiry Committee and decide whether to request complete investigation as described below or take any other appropriate action pursuant to HWI policies or contractual agreements. This decision shall be delivered in writing with the Inquiry Committee report and recommendation to the accused, the accuser, the Inquiry Committee and the Chairman and Vice-Chairman of the HWI Board without unnecessary delay.

3. Investigation

A formal examination and evaluation of all relevant facts will be undertaken to determine if an instance of misconduct has taken place. If misconduct has already been confirmed, an investigation may nevertheless be conducted to determine the extent of any adverse effects resulting from the misconduct.

a. The CEO and the EVP will determine whether sponsored research is involved and whether any sponsoring agency must be notified that an investigation is underway. Any necessary notification will clearly state that the investigation is to determine the propriety of the conduct or reporting of the research and that the agency will be apprised of the results.

b. The CEO shall appoint an Investigating Committee (Due precautions being taken against real or apparent conflicts of interest) to conduct a complete investigation of the allegations. The Investigating Committee should not be excessive in size but should contain individuals with sufficient expertise and dedication to conduct a thorough and equitable investigation. Legal counsel shall advise the Investigating Committee.

c. The investigation must be thorough and timely and provide an opportunity for the subject to fully respond to all allegations. It will require the dedicated attention of the Investigating Committee. An appropriate deadline, within a ninety (90) day period, which may be extended as necessary, to no more than ten (10) days, shall be established by the CEO.

d. Necessary support (e.g., clerical, gathering information, witnesses, organizational, security, recordkeeping and confidentiality) will be arranged by the CEO or his designate.

Private and separate sessions will be conducted to hear the accuser, the accused and other as determined necessary by the Investigating Committee. All evidence that is produced which bears directly upon the charges shall be reviewed and secured. Interviews with any individuals may be recorded.

e. The Investigating committee will provide a written report of its findings, conclusions, and recommendations, together with all pertinent documentation and evidence, to the CEO.

f. The CEO may appoint an External Committee of investigators, members and/or administrators from another institution or institutions to review and provide written comment on the findings, conclusion, and recommendations of the Investigating Committee.

g. The CEO shall review the report of the Investigating Committee and the comments of the External Committee, if any, and recommend further action to the HWI Board. This recommendation shall be delivered in writing together with the committee report and recommendations to the accused, the accuser, the Investigating Committee, and the Chairman and the Vice-Chairman of the HWI Board without unnecessary delay.

h. With the advice of legal counsel, the HWI Board shall decide how to proceed under applicable policies and contractual agreements and shall deliver that decision in writing to the accused, the accuser, both committees, and the CEO without unnecessary delay. Collaborators of the accused shall be advised of any substantiated scientific misconduct or questions related to their research. The CEO shall advise the Board of Directors as necessary.

i. At any time that scientific misconduct as defined herein or significant errors are substantiated in any sponsored or reported research, the CEO shall notify the sponsoring agency or publisher without delay in writing.

j. If scientific misconduct is not substantiated, the CEO and the EVP shall undertake immediate efforts to restore the reputation of those under investigation by notifying the Board, and any sponsoring agency or publisher without delay in writing.

k. The CEO will insure that documentation to substantiate an investigation's findings will be prepared and maintained for at least three years after the appropriate sponsor's acceptance of the final report.

4. Appeal

The accused may appeal directly to the HWI Board of Directors during any stage described in this process (allegation, inquiry, or investigation).

a. A written request for an appeals hearing will be made to the CEO. The accused will state the reasons for requesting Board review of the case.

b. The CEO will contact the Chairman of the Board as soon as possible. The chairman will determine whether a Board hearing is warranted.

c. If warranted, a meeting will be scheduled as soon as a quorum can be achieved.

d. All evidence available at the time of the hearing will be presented to the Board. All individuals providing evidence during the hearing may be accompanied by a representative.

e. The Board shall be advised by legal counsel. Following the hearing, the Board will determine whether to continue or suspend investigation of possible misconduct.

f. The accused will be notified in writing of the Board's decision within fifteen (15) working days of the appeals hearing.

TRAVEL

HWI does not give cash advances for travel. When an employee travels in connection with authorized official business, a leave request form must be submitted and approved. A Travel Expense Report must be completed and submitted to the Finance Department along with appropriate receipts within two weeks of your return. Travel Expense Report forms are available in Administration and on the HWI intranet site. If you use your own vehicle for official business, you will be reimbursed at the current rate per mile. The current mileage rate information is available on the HWI intranet site. Generally, mileage will not be reimbursed for travel within city limits. Your total average daily roundtrip commute from home must be deducted for mileage requests for daily local travel. In addition to the current mileage rate employees will also be reimbursed for tolls and parking. Reimbursement for lodging is based on reasonable actual

amounts incurred. The per diem for meals and/or other incidental expenses is based on the U.S. General Services Administration per diem guidelines for a specified city. You will be reimbursed the applicable rate for that city provided you submit support for the rate being claimed as provided at <http://www.gsa.gov/Portal/gsa/ep/contentView.do> . Otherwise, the standard per diem reimbursement is \$39.00 a day. Please note you may request actual expenses or the standard per diem but not both. Receipts must support all actual claims for reimbursement.

If the traveler is claiming a meal with a group of people, he/she must include the names of guests in attendance on the actual receipt.

TELEPHONE USE

When dialing a number outside the Institute, first dial "9", then your desired number. Anytime you are calling another office within the Institute, dial only the four-digit extension number. Placing and receiving personal phone calls are permitted; however, the length and number of these calls should be kept to a minimum.

PARKING

The Institute currently provides free parking for all employees in the assigned and designated lots. Key cards which allow employees access to the parking area are available in Administration. The Institute is not responsible for any damage to a vehicle parked in our lot. Key cards must be returned upon termination of employment or if no longer needed by the employee. Parking at the 700 Ellicott Street lot is not permitted without explicit permission.

BULLETIN BOARDS

Posted on the HWI bulletin boards are legal notices, regulations, memorandums, etc. regarding any matters that affect employees. All employees are urged to review the items on the bulletin boards frequently, as the information is continuously updated. Management reserves the right to remove material at any time for any reason and without notice.

COPYRIGHT POLICY

Reproduction of copyrighted publications, artwork, photographs or printed matter must be done within the limitations set forth by existing regulations.

INFORMATION TECHNOLOGY

The purpose of this policy is to address all issues relevant to outside computers connecting to the HWI network. The information technology (IT) department administers this policy. This policy is currently effective for all HWI employees and computer systems. This policy may be modified/ updated at any time by the IT department.

Network Access

The HWI IT department is exclusively responsible for installing and support of all computers on the HWI network. This responsibility set includes:

- Office desktop computers.
- Institutional laptop computers.
- Computer lab public desktop computers.
- Telecommuter home computers (provided by the institution).

If any non-HWI computers require network access, the IT department must be informed prior to the connection in order to ensure that network/antivirus security is maintained. If at any time, it is deemed that the computer poses a security risk (or an unauthorized computer is discovered), the IT department may disconnect the computer from the network until the security issue is resolved. For non-HWI computers requiring network access, the computer will be connected to the guest network.

The “Guest” Network

The guest network is intended for non-HWI machines to have temporary internet access and some limited resources. It is not intended as an “alternative” to the HWI network. The guest network provides internet access, access to HWI printers, and access to approved networking protocols. Since the computers on this network are not administered by the HWI IT staff, we will not be held responsible for any data loss resulting from software/hardware damage caused by connecting to the “guest network.” The department provides rudimentary security safeguards on this network; however, it should no be relied upon to keep your personal machines secure.

Software Installation

The HWI IT department is exclusively responsible for installing and supporting all software on institutional computers. This responsibility set includes:

- Office desktop computers.
- Institutional laptop computers.
- Computer lab public desktop computers.
- Telecommuter home computers (provided by the institution).
-

The HWI IT department relies on installation and support to provide software and hardware in good operating condition to HWI employees so that they can best accomplish their tasks.

Software can exist in any one of the following scenarios:

- An IT-created “image” or OEM installation on the hardware
 - Installation options
 - Upgrade considerations (if applicable)
 - Data conversion (if applicable)

- A shortcut to a network application (not truly an installation)
- An automated installation through an IT-developed solution that may be used in a rapid-deployment scenario or silent-install situation
- A terminal application, Citrix application, or other thin-client type of application accessible via the HWI intranet page

Software **cannot** be present on HWI computers in the following scenarios:

- An installation not by a procedure
- A piece of software purchased for one's home computer
- A downloaded title from the Internet (without IT approval)
- A pirated copy of any title
- Any means not covered by the ways that software can exist on HWI computers

Software Licensing

Most of the software titles on HWI's current software list are not freeware; therefore, the cost of software is a consideration for most titles and their deployment.

It is the goal of the IT department to keep licensing accurate and up to date. To address this, the IT department is responsible for purchasing software licenses for the following software categories:

- Desktop operating system software
- Productivity tools package
- Internet software (select)
- Accessories

The other software categories (workgroup-specific titles) are the purchasing responsibility of the workgroup in which they serve. However, the application(s) are still installed and supported by the IT department.

To control costs, licensing costs are a factor in the decision-making processes that go into client software planning and request approval. Any software in violation of the software licensing terms for that product is in violation of the law and therefore not allowed.

This IT policy is designed to let HWI employees achieve their business/scientific objectives. Any aberrations from this strategy will require the IT department to redeploy software and/or hardware solutions. Full cooperation with this policy is appreciated so that all goals can be met in accordance with the business/scientific objectives.

UNACCEPTABLE USE

Passwords and similar authorization information - Passwords are the primary way in which users are authenticated and allowed to use the community's computing resources. One should not disclose one's password(s) to any individual. Similarly, one should not disclose other identifying information (e.g., PIN numbers) used to access specific system information. Authorized users are held accountable for violations of this policy involving their accounts.

Unauthorized use of resources – One must not allow others to make use of one's account(s) or network access privileges to gain access to resources to which they would otherwise be denied.

Circumventing or compromising security – Users must not utilize any hardware or software in an attempt to compromise the security of any other system, whether internal or external to HWI systems and network. Examples of prohibited activities include (but are not limited to) Trojan horses, password crackers, port security probes, network snoopers, IP spoofing, and the launching or knowing transmission of viruses or worms.

Self-Protection – Any member of the HWI community who attaches a computer to the HWI network must take measures to ensure that the computer is protected against compromise by an internal or external attack. In this context, reasonable measures include the installation and maintenance of virus detection and eradication software, care in opening e-mail message attachments, vigilance when visiting web sites and adhering to published system configuration and management standards.

Commercial Activity – No member of the HWI community may use an HWI computing account or any communications equipment that is owned or maintained by HWI to run a business or commercial service or to advertise for a commercial organization or endeavor. Use of HWI's computer systems and networks for the personal promotion of commercial goods or services is strictly prohibited.

Harmful Activities – One must not use one's privileges as a member of HWI computing community to cause harm to any individual or to harm any software or hardware system, whether internal or external to HWI. Examples of harmful activities, in addition to those noted elsewhere in this policy include:

1. Intentional damage
 - Disabling other's computers
 - Compromising security
 - Disabling or corrupting software systems
 - Destroying, altering, or compromising information integrity (E.G., scientific data, personnel information, etc.)
2. E-mail spamming
3. Threatening or intimidating e-mail, newsgroup postings, or web sites.
4. Denial of service attacks (e.g., making it difficult or impossible for others to use the network effectively and efficiently).

Illegal Activities – HWI forbids the use of institutional internet/network access to view and/or access any content that violates any local, state, or federal laws. Illegal activities that are prohibited include, but are not limited to:

1. Copyright infringement, including publishing copyrighted material such as papers, software, music, musical scores, movies, and artistic works. It is irrelevant whether or not any profit is made from such distribution; the mere fact of providing uncontrolled access to such material is illegal.
2. Divulging information that is confidential or proprietary information.
3. Misrepresentation of one's identity to gain access to systems, software, or other services to which one does not have authorized access.

Sanctions – HWI may impose a range of penalties on users who violate the policies regarding the usage of Institute computing resources. For example, HWI may suspend computer and network privileges of an individual for reasons relating to the safety and well-being of other members of the Institute, or relating to the preservation and integrity of Institute property. Access will be restored when positive conditions can be reasonably assured, unless access is to remain suspended as a result of formal action imposed through the normal disciplinary processes of the Institute.

VIRUS PROTECTION

It is the responsibility of everyone who uses HWI's computer network to take reasonable measures to protect that network from virus infections.

This policy outlines how various viruses can infection HWI's network, how HWI's IT department tries to prevent and/or minimize infections, and how HWI's network users should respond to a virus if they suspect one has infected HWI's network.

How viruses can infect HWI's network

There are actually three main types of computer viruses: true viruses, Trojan horses, and worms. True viruses actually hide themselves, often as macros, within other files, such as spreadsheets or Word documents. When an infected file is opened from a computer connected to HWI's network, the virus can spread throughout the network and may do damage. A Trojan horse is an actual program file that, once executed, doesn't spread but can damage the computer on which the file was run. A worm is also a program file that, when executed, can both spread throughout a network and do damage to the computer from which it was run.

Viruses can enter HWI's network in a variety of ways:

- **E-mail** – By far, most viruses are sent as e-mail attachments. These attachments could be working documents or spreadsheets, or they could be merely viruses disguised as pictures, jokes, etc. These attachments may have been knowingly sent by someone wanting to infect HWI's network or by someone who does not know the attachment contains a virus. However, once some viruses are opened, they automatically e-mail themselves, and the sender may not know his or her computer is infected.
- **Disk, CD, USB drive, Zip disk, or other media** – as another type of file.
- **Software downloaded from the Internet** – Downloading viruses can also spread via various types of storage media. As with e-mail attachments, the virus could hide within a legitimate document or spreadsheet or simply be disguised software via the Internet can also be a source of infection. As with other types of transmissions, the virus could hide within a legitimate document, spreadsheet, or other type of file.
- **Instant message attachments** – Although less common than e-mail attachments, more viruses are taking advantage of instant messaging software. These attachments work the same as e-mail viruses, but they are transmitted via instant messaging software.

HOW HWI'S IT DEPARTMENT PREVENTS AND/OR MINIMIZES VIRUS INFECTIONS

HWI's IT department fights viruses in several ways:

Scanning Internet traffic - All Internet traffic coming to and going from our network must pass through company servers and other network devices. Only specific types of network traffic are allowed beyond the organization's exterior firewalls.

For example, an e-mail message that originates outside of the network must pass first through the firewall before it is allowed to enter the e-mail server. Once reaching the mail server, the message passes through a spam/security filter. This filter routes suspicious e-mail and attachments to a quarantined area, preventing the spread of viruses and allowing further scrutiny of mail prior to delivery.

Running server and workstation antivirus software – All HWI computers (Mac and PC) run Sophos Antivirus. This software scans our file-sharing data stores and local hard drives, looking for suspicious code. If it finds something suspicious, it isolates the dubious file on the computer and automatically notifies the IT department.

Routinely updating virus definitions – Every morning, the server virus scanning programs check for updated virus definitions. These definition files allow the software to detect new viruses. If a new virus definition file is available, the virus scanning software is automatically updated, and then the system administrator is informed.

Once the server's virus definitions have been updated, it will distribute these updates to the workstations automatically.

How to respond to and report a virus

Even though all internet traffic is scanned for viruses and all files on the company's servers are scanned, the possibility still exists that a new or well-hidden virus could find its way to an employee's workstation, and if not properly handled, it could infect HWI's network.

On occasion, well-meaning people will distribute virus warnings that are actually virus hoaxes. These warnings are typically harmless; however, forwarding such messages unnecessarily increases network traffic.

As stated, it is the responsibility of all HWI network users to take reasonable steps to prevent virus outbreaks. Use the guidelines below to do your part:

- Do not open unexpected e-mail attachments, even from co-workers.
- Never open an e-mail or instant messaging attachment from an unknown or suspicious source.
- Never download freeware or shareware from the Internet without the express permission of the IT department.
- If a file you receive contains macros that you are unsure about, disable the macros.

Notify the IT department of suspicious files

If you receive a suspicious file or e-mail attachment, do not open it. Notify IT and inform them that you have received a suspicious file. IT will explain how to handle the file.

If the potentially infected file is on a disk that you have inserted into your computer, the antivirus software on your machine will ask you if you wish to scan the disk, format the disk, or eject the disk. Eject the disk and contact the IT department. They will instruct you on how to handle the disk.

After IT has neutralized the file, send a note to the person who sent/gave you the file, notifying them that they sent/gave you a virus. (If the file was sent via e-mail, the antivirus software funning on our e-mail system will automatically send an e-mail message informing the sender of the virus if detected.)

If the file is an infected spreadsheet or document that is of critical importance to HWI, the IT department will attempt to scan and clean the file. The IT department, however, makes no guarantees as to whether an infected file can be totally cleaned and will not allow the infected file to be used on HWI computers.

PRINTER POLICY

The HWI IT department is exclusively responsible for installing and supporting all printers on the HWI network. This responsibility set includes:

- Laser printers
- Color printers
- Thermal printers

Any printers installed at HWI are to be network printers unless a specific case explicitly requires a local printer to be installed. No printers are to be installed at local workstations.

SECTION II

LEAVE POLICY

LEAVE POLICY

Various types of leave are provided by the Institute to cover reasons for which an employee is absent from work. Request for Leave forms, available in Administration, must be completed and submitted for prior approval to your department head, supervisor or principal investigator. Leave awarded for eligible employees includes the following:

- Holidays
- Vacation
- Paid Parental Leave (PPL)
- Emergency Leave
- Family and Medical Leave (FML)

Eligibility for leave is based on employee classification, length of appointment, and schedule.

ELIGIBILITY FOR LEAVE					
TYPE OF LEAVE	EMPLOYEE CLASSIFICATION				
	REGULAR		GEOGRAPHIC	PROVISIONAL	
	Full-time	Part-Time	Full-Time	Full-time	Part-time
Holiday	Yes	Yes ¹	Yes	Yes	No
Vacation	Yes	Yes	Yes	Yes	No
PPL	Yes	Yes	Yes	Yes	No
Emergency	Yes	Yes	Yes	Yes	No
FMLA	Yes	Yes ²	Yes	No	No

¹If normal schedule is 3 or more days/week and holiday falls within normal schedule.

²The employee must have worked 1250 hours for the Institute in the 12 months preceding the FMLA leave.

Other types of leave which may be granted are Leave of Absence without Pay, Official Business, Jury Duty and Military Duty. Any questions regarding leave allowance and/or regulations should be directed to the Human Resource Coordinator.

VACATIONS

The Institute provides paid annual vacation for employees as set forth below. The vacation year is from January 1st to December 31st (the calendar year). Effective January 1, 2007 for all eligible employees, the policy will accrue 10/12 days of vacation each month starting the first full pay period of employment. The accrual will increase in January following each anniversary of employment until it reaches 20/12 days each month following the anniversary of employment per the table below. Vacation leave must be requested by the employee on a Request for Leave form or electronically and approved in advance by the employee's supervisor. In scheduling vacations, consideration will be given based on departmental requirements. Advances on unearned vacation time can be made at the discretion of an employee's supervisor or the Administration up to a maximum equivalent to one year's accrual amount. If this causes the employee to have a negative vacation balance at the time of termination the amount will be withdrawn from the final paycheck. Employees must sign an agreement that they are aware that a negative draw from their vacation balance is a draw against future earnings.

Years of Continuous Service By January 1 st	Monthly Vacation Accrual Rate in	
	Days	Hours
1 st	10/12	6.25
2	11/12	6.88
3	12/12	7.50
4	13/12	8.13
5	14/12	8.75
6	15/12	9.38
7	16/12	10.00
8	17/12	10.63
9	18/12	11.25
10	19/12	11.88
11 th	20/12	12.50

For regular, part-time personnel, the vacation days will be based on the above schedule but pro-rated according to the percentage of time worked (i.e. – 50%, 60%, 80%). Provisional, part-time employees are not entitled to vacation leave. In the case of provisional, full-time employees, vacation days will be awarded based upon the above schedule.

Vacation pay is calculated at the regular rate of pay in effect at the time of vacation. Pay in lieu of vacation will not be granted.

Employees are urged to use their vacation every year; although regular employees may carry forward from one calendar year to the next accumulated vacation not to exceed twenty days (150 hours for full-time employees). Accumulated vacation leave in excess of the maximum carry-over allowance will be automatically forfeited at the end of each calendar year. Employees

will receive information on leave due with their semi-monthly earning statements or on-line via the intranet.

Official Institute holidays are not considered vacation time. Days of illness or disability which occur while an employee is on vacation may be charged to sick leave if substantiated by the attending physician.

In unusual cases vacation may be taken in advance with the approval of the supervisor and the Human Resource Coordinator. Upon termination, unused vacation accrued will be paid to employees provided they give adequate notice (at least two weeks), have been employed for at least six months, and are not discharged for misconduct. A terminating employee will refund to the Institute all pay received for advance vacation leave (vacation leave taken but not yet earned).

HOLIDAYS

The Institute observes the following holidays:

- Martin Luther King Day
- Washington-Lincoln Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- The Friday Following Thanksgiving
- Christmas Eve Day
- Christmas Day
- New Year's Eve Day
- New Year's Day

Full-time and full-time geographic employees are granted the above holidays with regular pay. Regular part-time employees with a normal schedule of three or more days/week are eligible for participation in holiday benefits based on their assigned work schedule. Full-time and part-time provisional employees are eligible for paid holidays. Part-time employees' holiday pay is pro-rated based on hours scheduled to work on the holiday.

If a holiday falls on Saturday, the preceding Friday will be observed as the holiday; and if a holiday falls on Sunday, the following Monday will be observed as a holiday. There shall be no carry-over of unused holidays. The actual dates on which official HWI holidays will be observed will be posted annually.

Should an official holiday fall within vacation, sick or emergency leaves, the day will be charged to holiday leave.

SICK LEAVE

The purpose of paid sick leave is to make it possible for an employee to recover from illness or injury, or to obtain needed medical or dental care without loss of income. Sick leave may also be used when, through exposure to contagious disease, an employee's presence at work would jeopardize the health of others. Employees are encouraged to schedule routine medical and dental appointments during non-working hours; however, if this is not possible such appointments may be covered by sick leave.

The Institute grants ten days (75.0 hrs. for full-time employees) of paid sick leave per calendar year. This amount will be accrued monthly at a rate of 6.25 hours per month. Regular, part-time employees are eligible for pro-rata participation in sick leave benefits based on their regularly assigned work schedule. Provisional, part-time employees are not eligible for paid sick leave.

In case of illness, employees are expected to notify their supervisor within one hour of their normal starting time on the first day of the absence and to keep the Institute advised regularly thereafter until they resume work. This provides the supervisor with knowledge as to the employee's condition and allows for arrangement of the departmental schedule accordingly.

Certification by an attending physician that such illness or injury prevents the employee from working will be required when the employee is absent in excess of seven consecutive days or in any case where the Institute deems it appropriate. Completion of a disability or worker's compensation claim form as appropriate is required for any absence in excess of seven days due to illness or injury. Sick leave may be granted when an illness or injury occurs during a scheduled vacation if substantiated by the attending physician. Whenever an employee is absent because of any contagious or infectious disease, he/she must furnish a statement from his/her attending physician that there is no longer danger to other employees if he/she is allowed to resume work. The Institute reserves the right to request a medical statement at any time. Sick leave may not be used for any purpose other than for illness and medically related absences.

Up to two months of sick leave may be accrued during continuous employment, but is not payable as a terminal benefit. For employees hired prior to January 1, 2010 this accrual may be as high as four months. All employees hired prior to January 1, 2010 are "grandfathered" with respect to existing accrued sick leave balances until these amounts are ultimately utilized. Subsequent accruals for these employees will not begin until their accumulated balance falls below two months in any given year. While employees are on paid sick leave, any disability or compensation benefits will go to HWI as partial reimbursement. If additional time off is needed, an employee may request vacation or leave without pay. FMLA leave will be granted if the absence qualifies for such leave. (See FMLA policy.) When such leave categories are used for the remaining period of absence the employee will receive any approved disability benefits directly.

DISABILITY

Completion of a disability claim form is required for any absences in excess of seven consecutive days due to illness. The Institute offers short term disability coverage. HWI completely covers the cost of this coverage. This coverage provides reimbursement for 60% of your salary during the time from which you are disabled up to a period of six months. All active employees are provided this coverage. Disability leave may run concurrent with Family Medical Leave.

If an employee is not eligible for another type of leave or has exhausted available FMLA Leave and is unable to return to work upon the expiration of the authorized leaves of absence, the individual's employment with the Institute will be terminated. However, if an employee believes that he/she may be able to return to work if the employee is provided with an additional leave of absence for a specified period of time, the employee should contact their supervisor, provide supporting medical documentation, and request an additional period of leave. The Institute will examine and consider such requests on a case by case basis.

Under the Americans with Disabilities Act, the Rehabilitation Act, and the New York Human Rights Law, qualified individuals with a disability are entitled to reasonable accommodations to assist them in performing the essential functions of a job. If at any time an employee on medical leave believes that he or she might be able to return to work if the employee is provided with an accommodation, the employee should contact their supervisor. An employee may also express interest in returning to a vacant position for which the employee is able to perform the essential functions of the job, with or without a reasonable accommodation. Employees may obtain information about vacant positions within the Institute by contacting the Human Resource Coordinator.

PAID PARENTAL LEAVE POLICY

HWI recognizes that supporting employees as they balance career, childbirth, and family life ultimately benefits the institution. Our goal is to create a community that supports employees and their families and regards family care concerns as legitimate and important. This policy allows for a specified period of paid leave in conjunction with the birth or adoption of a child and will run concurrently with any leave under the Family Medical Leave Act (FMLA) to the extent that FMLA Leave is available to the employee.

A. Definitions

Term	Definition
Paid Parental Leave	A period of up to four weeks paid leave in addition to sick, vacation, or disability leave for the purpose of recovery from childbirth and/or to care for and bond with a newborn or newly-adopted child.
Birth mother	A female who gives birth to a child.
Father	A male who is legally responsible for child rearing as the male spouse of the birth mother.

Adoptive parent	A parent who has taken an adoptive child into one's family, through legal means, to raise as one's own child.
Adoptive child	A child up to eighteen years of age who is adopted through public, private, domestic, international or independent means and who is not the step-child of the adoptive parent.
Year of service	The twelve-month period immediately prior to the date of the birth or adoption event, during which an employee has obtained at least 1000 hours.

B. Policy Details

1. The purpose of Paid Parental Leave is to provide a birth mother, father, or adoptive parent with paid time off to recover from childbirth and/or to care for and bond with a newborn or newly-adopted child.
2. It is the intent of this policy to provide the eligible staff members with a paid leave benefit that may be combined with other leave programs to maximize the length of paid leave available and to supplement unpaid time off under Family Medical Leave Act (FMLA), in the event of a birth or the adoption of a child.
3. Paid Parental Leave is a benefit of employment and its use shall not have a negative impact on employment status or opportunities.
4. Departments should be flexible in managing Paid Parental Leave requests, so as to permit employees to effectively combine career and family responsibilities.

C. Eligibility-defined as meeting all of the following criteria:

An eligible staff member (all employees with the exception of provisional and, with a minimum of one year of service and at least 1000 hours worked) who becomes a new parent as a:

- birth mother,
- father, or
- adoptive parent

D. Program Design

Employees must exhaust all paid sick and vacation for current calendar year, and are allowed to request advance vacation time for an additional twelve months to accommodate for eligibility for Paid Parental Leave. (See sub paragraph 4)

The employee is not required to exhaust Emergency Leave time for eligibility for Paid Parental Leave.

Once all paid sick and vacation leave is exhausted HWI will provide Paid Parental Leave equal to 100% of the employee's regular pay as determined by regularly scheduled hours of work. If the employee eligible for NYS Short Term Disability (STD) HWI will augment the STD to ensure the employee receives their full salary. Payment of Paid Parental Leave Benefits will be made on regular payroll dates.

Paid Parental Leave cannot exceed four weeks. The combination of paid sick and vacation with Paid Parental Leave cannot exceed ten weeks. Depending on individual circumstances NYS STD could extend to twenty-six weeks.

Any leave under the Family Medical Leave Act (FMLA) is unpaid leave, and is based on FMLA eligibility criteria. To the extent permitted by applicable law, FMLA leave for eligible employees will run in conjunction with any other form of leave or time off (paid or otherwise) in connection with the birth or adoption of a child, and will run for up to a maximum twelve weeks.

E. Use

Paid Parental Leave should generally commence following the birth or adoption of a child, but in some instances, may occur prior to the event when deemed medically necessary or when requisite to fulfill the legal requirements for an adoption, provided all eligibility requirements are met.

Paid Parental Leave is available for one year from the birth or adoption of a child and may be taken at one time or intermittently with advance notice, scheduling and approval from the department head and Human Resources.

Paid Parental Leave will run concurrently with leave under the Family Medical Leave Act (FMLA), as permitted under applicable law, to the extent that an individual is eligible under the FMLA has an available amount of FMLA leave equivalent to the length of the Paid Parental Leave to be taken. If the amount of FMLA leave available is less than the amount of Paid Parental Leave to be taken, Paid Parental Leave will still be granted as specified in this policy, without regard to the existence of the individual's available FMLA leave. In this case, the return to work provision of the FMLA policy will apply.

One Paid Parental Leave benefit is available per employee, per birth or adoption event. The number of children involved does not increase the length of Paid Parental Leave granted for that event.

If an employee fails to return to work for at least thirty days after their Paid Parental Leave expires, by acceptance of the Paid Parental Leave benefits provided under this policy the employee agrees to reimburse HWI for the amounts of salary paid to the employee under this policy. Such re-imbursement may be forgiven in the discretion of HWI where the failure to return to work is on the account of the continuation, recurrences, or onset of a serious health condition of the employee or the child which would otherwise entitle the employee to leave under the FMLA, or any other circumstances that HWI determines were beyond the employee's control.

EMERGENCY LEAVE

The Institute allows five days (37.5 hrs. for full-time employees) of emergency leave with pay in each calendar year. This time will be accrued at a rate of 3.125 hours per month. Regular, part-time employees are eligible for pro-rata participation in emergency leave benefits based on their regularly assigned work schedule. Provisional, part-time employees are not eligible for paid emergency leave. Emergency leaves may be granted for the following reasons:

1. following a death in the employee's immediate family (Immediate family is defined as spouse, parent, son, daughter, brother, sister, grandparent, grandchild and similar relatives of your spouse, this includes step relatives in the same categories);
2. illness in the immediate family, when the illness warrants the employee's presence to provide assistance; or
3. when the employee needs time off for urgent personal matters including religious observances.

If an employee requires emergency leave, he/she must have prior approval or make sure that his/her supervisor is notified of the circumstances by 10:00 a.m. on the first day of absence and is advised regularly thereafter as to the date of return to work.

Advances on unearned emergency time can be made at the discretion of an employee's supervisor. An employee cannot be advanced more than the annual accrual amount for any calendar year (37.5 hours).

Emergency leave is not cumulative nor is it payable as a terminal benefit.

FAMILY AND MEDICAL LEAVE ACT

This policy - This is a summary of the Institute's current policy for implementing the Family and Medical Leave Act of 1993 ("FMLA"). Words and phrases used in this policy have the meanings established for them under the law.

Eligibility for Leave- An employee is eligible to request available FMLA leave if he or she has been employed by the Institute for at least twelve months, and has worked at least 1,250 hours during the twelve month period immediately preceding the leave.

Qualifying Circumstances for Leave- An eligible employee is entitled to take FMLA leave for one or more of the following:

1. **New Child:** Because of the birth of a son or daughter of the employee and in order to care for such son or daughter, or because of the placement of a son or daughter with the employee for adoption or foster care; or
2. **Serious Health Condition of Family Member:** In order to care for the employee's spouse, son, daughter or parent (but not parent "in-law") of the employee, if such family member has a "serious health condition;*" or
3. **Serious Health Condition of Employee:** Because of a "serious health condition*" that makes the employee unable to perform the functions of his or her position.

*A "serious health condition" has a special definition under the law.

Amount of Leave Available- Eligible employees are limited to a total of twelve work weeks of FMLA leave during any twelve month period. This is a "rolling" twelve month period which is measured backwards from the dates of any requested leave. For example, an employee who has taken eight weeks of leave during the past twelve months is now limited to four more weeks of leave.

Leave for a new child (qualifying circumstance #1 above) cannot be taken later than twelve months after the birth or placement of the child. Leave because of a serious health condition (qualifying circumstance #2 or 3 above) can only be taken during such time as there is a serious health condition. If a husband and wife are both eligible employees, they are limited to a combined total of twelve work weeks of leave during a twelve month period if the leave is taken for a new child or to care for a parent with a serious health condition.

FMLA Leave is Unpaid. FMLA leave, meaning leave available to employees under this policy, is always unpaid leave. However, if paid leave is available to the employee under the same circumstances pursuant to a different Institute policy, that paid leave must be taken concurrently with the FMLA leave. (See "All Available Leaves Must be Taken Concurrently", below.) As a result, employees may receive pay during some or all of their FMLA leave, depending upon whether and to what extent paid leave is otherwise available to them.

Benefits While on FMLA Leave

- (a) **Health Benefits:** The Institute will maintain an employee's health benefits during FMLA leave on the same terms and conditions as if the employee had not taken leave.

If the employee normally pays some or all of the benefit costs, he or she must continue making those payments during the leave. This may be done by payroll deduction, to the extent the employee is taking otherwise available paid leave concurrently with the FMLA leave. In all other cases, the employee must make advance payment arrangements with the Institute and must fully comply with those arrangements throughout the leave or risk termination of the health benefits.

If FMLA leave expires and the employee does not return to work (normally for at least thirty calendar days), and does not have a valid excuse as defined by law, the Institute may recover any benefit payments it has made on the employee's behalf during the leave.

- (b) **Pension or Retirement Vesting:** FMLA leave will be treated as continuous service (i.e. no break in service) solely for purposes of vesting and eligibility to participate in any applicable pension or other retirement program.
- (c) **No Other Benefits:** Employees do not receive or accrue any other employment benefits while on FMLA leave, and accrue no seniority, unless this is specifically provided by a different Institute policy. However, to the extent that an employee is taking an otherwise available leave concurrently with FMLA leave, any benefits or accruals which may be associated with that other leave will be in effect for the duration of that other leave.

Return to Work. It is a basic assumption of both the FMLA and this policy that employees request leave with the expectation of returning to work at the conclusion of the leave. An employee is not entitled to FMLA leave if it is their intention not to return to work, and all employees who request leave are deemed to be making an express representation to the Institute that this is not their intent. The Institute may periodically require employees who are on FMLA leave to report on their current status and plans for returning to work.

Upon returning from FMLA leave, employees will either be restored to their prior position, with the same pay and benefits, or, in the Institute's discretion, to an equivalent position which has equivalent benefits, pay, and other terms and conditions of employment. Exceptions may be made in the case of salaried employees who are among the highest paid ten percent of all Institute employees within seventy-five miles of that work-site. Job restoration may be denied to these employees to prevent substantial and grievous economic injury to the Institute's operations. If this decision is made, the Institute will notify the employee as soon as possible.

Advance Notice by Employees. When the need for leave is foreseeable, employees must give the Institute at least thirty days' advance notice or the leave may be delayed. Shorter notice is permissible only to the extent necessary under the circumstances. Notice should be given to the Administrative Manager, and it must include sufficient factual information for the Institute to decide whether there are qualifying circumstances. As soon as possible after receiving the notice, the Institute will provide information about the leave and the employee's obligations concerning the leave.

If leave is requested because of the serious health condition of a family member or the employee (qualifying circumstance #2 or #3), and the leave is based on planned, foreseeable medical treatment, the employee must make a reasonable effort to schedule the treatment to avoid unreasonable disruption of Institute operations, subject to the approval of the health care provider.

Intermittent or Reduced Schedule Leave- In most cases, employees will take FMLA leave in a single, continuous block of time. Leave for a new child (qualifying circumstance #1) may be taken on an intermittent or reduced schedule only if this is agreed to by the Institute, in its sole discretion. Employees are entitled to take intermittent or reduced schedule leave without Institute consent only if the leave is because of the serious health condition of a family member or the employee (qualifying circumstance #2 or #3), and the intermittent or reduced leave schedule is medically necessary. For example, if an employee with cancer needs to receive chemotherapy for three hours every Wednesday afternoon, but is able to work the rest of the week, an intermittent (recurring) schedule of three hours of FMLA leave each week may be appropriate.

If an employee requests FMLA leave on an intermittent or reduced schedule basis because of planned, foreseeable medical treatment, or, with the Institute's consent for childbearing purposes during the first twelve months after the birth or placement of a child, the employee may be temporarily assigned to a different position which better accommodates the leave schedule and is equivalent to the employee's normal position under the circumstances.

Medical Certifications- Employees who request leave because of a serious health condition (qualifying circumstance #2 or #3) may be required to submit a supporting certification by the relevant health care provider. Among other things, the certification must establish that the employee or family member does in fact have a "serious health condition" and that this condition requires the employee's absence from work. If leave is being requested on an intermittent or reduced schedule, the certification must also establish the medical necessity for that schedule. The Institute may require subsequent recertification throughout the period of FMLA leave.

Certification forms will be supplied by the Administrative Manager. The Employee must make diligent efforts to submit the completed certification as soon as possible, no later than fifteen calendar days after receiving the form unless strictly necessary under the circumstances. If the Institute disagrees with the certification submitted by the employee, it may obtain a second opinion. If the employee disagrees with the second opinion, the Institute and employee will mutually select a third health care provider to render an independent opinion at the Institute's expense, which opinion shall be binding.

Available Leaves Must Be Taken Concurrently. This section contains the Institute's current rules for coordinating the unpaid FMLA leaves available under this policy with paid leaves that may be available to employees under any other Institute policies or practices. All other Institute policies or practices with regard to paid leaves, whether fully or partially paid, are hereby amended to the extent necessary to make them consistent with these rules.

- A. To the extent that an employee is entitled to take unpaid FMLA leave pursuant to this policy, and under the same circumstances is also entitled to take one or more kinds of paid leave pursuant to other Institute policies or practices, FMLA leave and paid leave must be taken concurrently.
- B. Unpaid FMLA leaves and paid leaves are available under the same circumstances as follows:

- (i) If the employee is entitled to take FMLA leave for a new child or because of a serious health condition of a family member (qualifying circumstance #1 or 2), and the employee is otherwise entitled to take some amount of paid vacation leave, sick leave, special leave, or emergency leave, both the FMLA and paid leaves must be taken concurrently.
 - (ii) If the employee is entitled to take FMLA leave because of a serious health condition of a family member or the employee (qualifying circumstance #2 or 3), and the employee is otherwise entitled to take some amount of paid vacation leave, sick leave, emergency leave, special leave, or disability leave because of the same health condition, both the FMLA and paid leaves must be taken concurrently.
- C. Taking leaves concurrently means that the leaves are used up simultaneously, with each leave continuing in full effect pursuant to the relevant Institute policy or practice for so long as the employee continues to be away from work and entitled to take that particular leave.

If an employee is entitled to take more than one kind of paid leave under the same circumstances as unpaid FMLA leave (for example, if both paid vacation leave and paid sick leave are available to the employee under the circumstances of rule B(i) above), the paid leaves must be used one at a time. The employee must use at least one available paid leave, for so long as at least one of them is still available, at all times when he or she is taking FMLA leave. Employees may decide the sequence in which paid leaves will be used unless this is determined by law or the relevant Institute policies or practices. Employees entitled to more than one form of available paid leave should advise the Institute of these decisions when requesting leave.

These rules apply regardless of whether the employee requests FMLA leave or available paid leave. In either case, the leaves must be taken concurrently in accordance with these rules. For example, if an employee requests paid disability leave during pregnancy and the disability period lasts eight weeks, the employee must also take 8 weeks of unpaid, concurrent FMLA leave because of a serious health condition (qualifying circumstance #3, rule B(ii) above). If the employee thereafter requests additional FMLA leave under this policy for care of her newborn child (qualifying circumstance #1), her remaining FMLA leave entitlement is now four weeks. While taking the FMLA childrearing leave, the employee must also take any paid vacation or personal leave which may be otherwise available to her (rule B(i) above). If some paid vacation or personal leave is still left at the end of the four weeks, the employee may continue taking such leave until it is used up subject to the requirements of the Company policy governing such leave.

LEAVE OF ABSENCE WITHOUT PAY

When FMLA leave is not available and where the work of a department will not be seriously handicapped by the temporary absence of an employee, he/she may be granted a leave of absence without pay for up to one week with the approval of his/her supervisor and notification to the Human Resource Coordinator. Any leave of absence in excess of one week must have the approval of your immediate supervisor **and** Administration.

While on any unpaid leave of absence, employees will continue to receive benefits, including health and life insurance for a period of up to three months, but will not be paid for any holidays or continue to accrue vacation, sick time, emergency leave, or any other benefit.

Where a leave of absence is granted in excess of three months employees should review their options for continuation of health insurance at their own expense (COBRA) and notify the Human Resource Coordinator of their decision.

If the leave of absence without pay does not exceed three months, the employee will be placed in his/her former position upon his/her return. If the leave of absence exceeds three months, the Institute cannot guarantee that the former position will be available. All employees returning from a leave of absence of more than three months must apply to the Human Resource Coordinator for reinstatement. Failure to return upon expiration of leave or accepting other employment while on leave will be considered a voluntary resignation.

UNAUTHORIZED ABSENCE

If a non-exempt employee is absent from work without notifying his/her supervisor, the employee will not be paid for that day. Three days of absence without contacting the supervisor is considered to be a serious infraction and will likely result in dismissal. All employees are expected to keep his/her supervisor advised when they will not be at work and, regularly inform them of their anticipated date of his/her return to work regardless of the reason for the absence.

OFFICIAL BUSINESS

An employee may be required to conduct relevant business away from the Institute, to participate in specific conferences or training programs, or collaborate with other laboratories and scientists, etc. Employees must complete a Travel Expense Report within two weeks of their return. Forms are available in Finance.

JURY DUTY

Any employee who is subpoenaed for jury duty should notify his/her supervisor as soon as the occasion arises and keep him/her advised regularly as to the date of his/her return to work. While serving as a juror, the employee will receive his/her regular pay and will reimburse the Institute the amount of the fees received from the Court unless otherwise noted on the court summons. Evidence of the fee received from the Court must be supplied to the Accounting Department. Employees are expected to return to work as soon as possible after being excused from jury duty.

The above mentioned requirements for authorized leave also apply when an employee must serve as a court witness.

MILITARY DUTY

The Institute will comply with all Federal and State laws regarding Military Service and provide employees all rights provided in such laws.

SECTION III

BENEFIT PLANS

FRINGE BENEFITS

The Hauptman-Woodward Medical Research Institute makes the following fringe benefit programs available to eligible employees:

- Health Insurance
- Dental Insurance
- Health Savings Account (HSA) [not eligible to participate if eligible for Medicare], must be coupled with a consumer driven health plan
- Flexible Spending Account (FSA)
- Life Insurance
- Retirement Plan
- Workmen's Compensation
- Disability Insurance
- Unemployment Insurance

Eligibility to participate in these programs depends on the employee's classification and is subject to the conditions stated in the individual plan descriptions.

ELIGIBILITY FOR BENEFITS					
TYPE OF LEAVE	EMPLOYEE CLASSIFICATION				
	REGULAR		GEOGRAPHIC	PROVISIONAL	
	Full-time	Part-Time	Full-Time	Full-time	Part-time
Health Insurance	Yes ¹	Yes ¹	No	No	No
Dental Insurance	Yes ¹	Yes ¹	No	No	No
Health Savings Account	Yes ²	Yes ²	No	No	No
Flexible Spending Account	Yes	Yes	Yes	No	No
Life Insurance	Yes	Yes	Yes	No	No
Retirement Plan	Yes ¹	Yes ¹	Yes ¹	No	No
Workers' Compensation	Yes	Yes	Yes	Yes	Yes
Disability Insurance	Yes	Yes	Yes	Yes	Yes
Unemployment Insurance	Yes	Yes	Yes	Yes	Yes

¹Must meet all the eligibility requirements of the Plan.

²Not eligible for Medicare.

HEALTH INSURANCE BENEFITS

HWI offers the following health insurance programs:

- **Medical Insurance**
 - **Consumer Driven Health Plan** - allows greater flexibility and control, allowing you to pay lower premiums and get the benefits you need while taking a greater responsibility for your health care.
 - **Medicare Plan** – A health plan specifically designed for Retirees of the Institute.
- **Dental Insurance**
 - **Dental Coverage**- the Institute covers a portion of the premium for Dental Insurance coverage. The remaining portion of the premium is paid by the employee on a pre-tax basis.
 - **Additionally we offer:**
 - **Health Savings Account (HSA)** – Employees must be enrolled in the Consumer Driven Health plan. An HSA is similar to an IRA, but can be used for tax-free payments of IRS qualified medical expenses not covered by your healthcare plan, such as deductibles and coinsurance payments. An HSA is your account and you can take the account with you when you leave HWI.
 - **Flexible Spending Account (FSA)** – An account the employees pre-designate an annual amount of pre-tax dollars to set aside for IRS qualified medical expenses or child care expenses. The money must be used within the plan year or it is forfeited.

All current health insurance programs include Prescription Drug coverage. The co-pay and type of prescriptions covered varies with each plan. Informational material and comparison data on each of the programs, detailed summary plan descriptions, application forms and change forms are available on the HWI intranet.

Information regarding current premiums, including the portion paid by HWI and the cost to the employee for the plans offered by the Institute, is available at the Human Resource Coordinator office. Premiums for regular, part-time employees are prorated in accordance with their schedules. Any balance due on the premium is met through payroll deduction or payroll reduction on a pre-tax basis.

Each regular, full-time and part-time employee is eligible to participate. Geographic full-time and Provisional, full-time and part-time employees are not eligible under this plan.

The annual open enrollment for the contract year beginning January 1st is from October 1 through November 15. If you have not selected your coverage by November 15, you will be assigned to the default coverage.

Eligible employees will be able to complete the enrollment forms on our portal site. You may enroll in the Plan within thirty days of your date of employment for coverage for yourself and all eligible dependents. Coverage will be effective the first of the month following thirty days of employment. If an employee fails to enroll within the time specified above, enrollment must be deferred to the next HWI open enrollment.

You may change your type of coverage (individual or family) if you've had a qualifying event and/or add or delete a dependent by completing the appropriate form within thirty days of the effective date of the change. Change forms are available on the portal. Your new coverage will take effect the day the qualifying event occurs.

A detailed Summary Plan Description on the appropriate health insurance program is available upon request to all participants.

COBRA

Federal law requires that most group health plans (including this Plan) give employees and their families the opportunity to continue their health care coverage when there is a "qualifying event" that would result in a loss of coverage under an employer's plan. Depending on the type of qualifying event, "qualified beneficiaries" can include the employee (or retired employee) covered under the group health plan, the covered employee's spouse, and the dependent children of the covered employee.

Continuation coverage is the same coverage that the Plan gives to other participants or beneficiaries under the Plan who are not receiving continuation coverage. Each qualified beneficiary who elects continuation coverage will have the same rights under the Plan as other participants or beneficiaries covered under the Plan, including special enrollment rights.

SECTION 125 PLAN

Employees who contribute to the cost of their medical and/or life insurances have the option to do so on a pre-tax basis by enrolling in the premium payment portion of our Section 125 Plan. You may also participate in the flexible spending account (FSA) and the health savings account (HSA) with untaxed dollars. In order to participate in the plan you must complete an enrollment form. The forms are available on our intranet portal site. Your decision to participate is a commitment until the next HWI open enrollment period.

LIFE INSURANCE/ACCIDENTAL DEATH and DISMEMBERMENT (AD&D)

Group life insurance and AD&D is available for eligible employees through The Guardian Life Insurance Company of America. Information on this program, a detailed summary plan description and application forms are available on our intranet portal site.

All regular employees working at least 30 hours per week are eligible for \$50,000 of life insurance coverage and \$50,000 AD&D. The employees are responsible for a small portion of the cost. The balance of the premium is paid by HWI. Regular, part-time employees working 20-29 hours per week are eligible for \$25,000 in coverage at a cost of \$3.00/month and the balance of the premium is paid by HWI. All eligible employees must complete an Agreement for Participation in the HWI Group Life Insurance Program form indicating their decision.

The insurance becomes effective as of the first day of the month next following the completion of one month of continuous service in an eligible class. No medical examination is required if an employee enrolls promptly. However, if an employee fails to enroll within 31 days after becoming eligible, the employee will be required to furnish satisfactory evidence of insurability.

The employee's share of the cost of this plan per month is met on a pre-tax basis through payroll reduction. The balance of the premium is paid by the Institute.

Coverage and premium amounts for employees reduce 50% at age 70.

Employees who elect to participate in the HWI Basic Life Coverage are eligible for additional Voluntary Life coverage for themselves, their spouse and their dependents at their own expense.

RETIREMENT PLAN

The HWI Retirement Plan is through the Teachers Insurance and Annuity Association and the College Retirement Equities Fund (TIAA - CREF).

The Plan provides for two types of contributions to benefit participants: contributions made by the Institute and salary reduction contributions made by participants. The requirements for eligibility for these two types of contributions are different and are described in detail in the Summary Plan Descriptions available from Human Resources. Descriptive booklets and application forms are also available in Administration. In the event of a conflict between this policy and the Plan documents, the latter shall control.

You are eligible to participate in the salary reduction contribution portion of the plan if you normally work 20 or more hours per week. Salary reduction contributions are contributions you elect to make to your own TIAA-CREF tax deferred annuity. To make these contributions you must enter a salary reduction agreement with the Institute. The amount by which you agree to

reduce your salary is contributed to your annuity on your behalf. The annual contribution must be at least \$200. Tax on the amount of the salary reduction is deferred. The Internal Revenue Code limits the amount that can be contributed by salary reduction.

All eligible employees must complete an Agreement for Participation in the HWI Salary Reduction Contributions Portion of the Retirement Plan form indicating their decision.

You are eligible for immediate participation in the HWI contribution portion of the Retirement Plan if you are a regular full-time, part-time, or geographic employee and, both of the following requirements are met:

- (1) Attainment of age 21 and
- (2) Completion of 1,000 or more hours of continuous service while employed by one of the following types of eligible employers for the 12-month period immediately preceding my date of employment at HWI: (a) Educational organization, (b) Teaching institution, (c) Organization that is eligible to maintain a Code Section 403(b) plan (the non-profit type of a 401(k)), (d) Institution of higher education, or (e) Non-profit (research) institution.

If you do not qualify for immediate participation as noted above, you are not eligible to participate in the Institute contribution portion of the Plan until you meet all of the following prerequisites:

- (1) Employment in an eligible category of employment. An eligible category of employment is any employment by the Institute other than as a foreign research scholar, a graduate student, or a student whose employment is incidental to his or her educational program; and
- (2) Completion of one year of service with the Institute; and
- (3) Attainment of age 21.

When you meet all these prerequisites for eligibility, your participation in the Institute contribution portion of the Plan will start on the following 1st of the month.

The Institute will make contributions on your behalf to a retirement annuity with TIAA-CREF based on 6% of your salary as noted in the Summary Plan Description.

Provisional, full-time and part-time employees are not eligible under this plan.

WORKERS' COMPENSATION

The Institute provides workers' compensation insurance for injuries or sickness related to your work. Such accidents or illnesses should be reported immediately to your supervisor and/or the Human Resource Coordinator so that the necessary reports can be filed.

Obtain first aid and/or other necessary medical treatment as soon as possible. Tell your doctor to file medical reports with the Workers' Compensation Board and our insurance carrier, the State Insurance Fund.

DISABILITY INSURANCE

All HWI employees are covered by disability insurance in excess of what is mandated by New York State. The Institute provides short term disability coverage to all employees. HWI completely covers the cost of this coverage. This coverage provides reimbursement for 60% of your salary for up to six months for a qualified disability claim. Additionally, the Institute offers long term disability coverage. The cost of which is partially paid by the Institute.

If you are unable to work because of an illness or injury not work-related, you may be entitled to disability benefits. The Institute requires that a disability claim form be completed for any such absence in excess of seven days. The Notice and Proof of Claim for Disability Benefits forms and copies of the Statement of Right-Disability Benefits Law are available from the Human Resource Coordinator.

UNEMPLOYMENT INSURANCE

The Institute, a non-profit organization, complies with New York State regulations by paying the taxes required for NYS Unemployment Insurance. This insurance provides a weekly payment for a specific amount of time if you should become unemployed and have met the necessary eligibility requirements. If you become unemployed and want to apply for unemployment insurance benefits, you must file your application with the unemployment insurance office or online.

SECTION IV
APPENDIX

APPENDIX A - THE SCIENTIFIC GOVERNANCE COUNCIL

The Scientific Governance Council (SGC) has the responsibility of making major decisions and determining policies that affect the way science is conducted at the Hauptman-Woodward Institute (HWI). It is comprised of six staff scientists and an alternate, and the members are elected by the entire permanent staff. The Council makes relevant recommendations to the Executive Director/CEO. The CEO may overrule a recommendation of the Council but, in doing so, the CEO must inform the Council of the reason why this action was taken.

Operation.

- The Council consists of six voting members and an alternate who attends meetings and participates in the discussions.
- Annual elections are held in October, and two members are replaced each year.
- The two candidates with the most votes are elected to three-year terms.
- The candidate with the third largest number of votes becomes the alternate.
- There are no term limits.
- Election is by secret ballot.
- All permanent Research Scientists with at least one year of service to HWI are eligible for election; eligible scientists have the right to refuse to run for election.
- All permanent staff members may vote in the election.
- Four Council members constitute a quorum.
- Four votes are needed to pass recommendations.
- Meetings, votes, and decisions may be in person, by telephone, fax, or e-mail.
- Meetings are held at least monthly and normally twice per month except in December.
- All staff scientific committees report to Council.
- Each year at the first meeting in November, the six members elect a Chairperson and Vice Chairperson who are in the Institute's chain of authority following the Executive Vice President.
- The Chairperson sets the meeting agenda and signs Council documents.

Responsibilities: The Council is a deliberative body with real power to govern virtually every research-related aspect of the laboratory's operation. Every internal policy implementation should be reviewed and acted upon by the Council. The test as to whether an issue is one that should be referred to the Council is whether the issue will have an impact on the science performed at HWI. Therefore, issues appropriate for the Council's deliberation include (but are not limited to) resource and discretionary funding allocation, the maintenance of the physical plant, the review of scientific projects and related requests for financial support, the analysis of major equipment decisions and the arbitration of scientific conflicts. Recommendations for new hires and employment termination should be referred to the Council. The Council should focus primarily on scientific matters, but it should also act as a sounding board and advisory council to the CEO, President, Executive Vice President, and support Supervisors regarding any issue they choose to bring for consideration. Therefore, Council members will be required to see and act upon confidential material from time to time, and they must accept the bounds of confidentiality

placed upon them. Personnel performance ratings and salary recommendations are among the confidential matters that may come to the attention of the Council.

A major role of the Council is to foster new and existing research programs. It must reach out to form an effective recruiting team for new hires among the scientific and technical staff. It administers applications for, and use of, grant monies from local granting agencies to encourage new scientific approaches emphasizing projects proposed by yet-to-be-established scientists but also considering mature scientists who seek a change in the direction of their research. For the young scientists on the staff, and for those young scientists to be hired in the future, the Council acts as a mentoring body to transfer its collective wisdom regarding grant preparation and the conduct of world-class science. The Council appoints the members of all the standing committees of the lab required by law to address Safety, Radiation Safety, Recombinant DNA, and Drug and Alcohol Compliance.

Bringing Issues before the Council: In addition to the functions outlined above, the SGC also exists to provide a mechanism whereby any staff member with a legitimate issue that affects the quality and quantity of the science conducted at HWI can voice that issue and know that it will be taken seriously. Henceforth, two mechanisms exist whereby anyone can bring a concern or suggestion to the attention of the Council:

- All staff members are reminded that the SGC members are their elected representatives. Anyone, at any time, can speak to any Council member and request that the Council member raise an issue for discussion at a Council meeting.
- Anyone can request an opportunity to speak with the Council regarding an issue concerning the lab. In order to do this, an interested individual should speak to the SGC Chairperson and request that the item be placed on the agenda for the next meeting.

APPENDIX B – INVENTIONS AND WRITINGS

See separate policy