



# Employee Handbook

January 2018



Dear Research Foundation Employee:

Welcome to The Research Foundation for The State University of New York (RF). As a member of the RF family you are part of an organization whose mission is to support research and discovery at SUNY through efficient and skillful administration of sponsored projects and adept transfer and sharing of intellectual property for public benefit and economic growth.

As the largest most comprehensive university-connected research foundation in the country, the RF provides essential sponsored programs administration and innovation support services to SUNY faculty, students and staff who perform life-changing research in life sciences and medicine; engineering and nanotechnology; physical sciences and energy; social sciences; and computer and information. We manage SUNY's research portfolio assisting with every step of the research grant process, allowing faculty, students and staff to focus on their work and ensuring compliance with SUNY, grant sponsor and government requirements.

While serving SUNY we remain a separate non-profit education corporation. Since we are not part of the State of New York system, the RF manages its own independent employee benefits programs, compensation plans, affirmative action policies, complaint procedures and other matters that affect you as an employee.

The RF is committed to transparency, accountability and exemplary ethics. To that end, the RF may provide information about its finances, business decisions, relationships, employees, and other aspects of the RF's operations. Disclosures about employees may include, but are not limited to, employee title, business address, years of service and salary information. Those disclosures will be managed through the RF's Records Access Officer. Our [Code of Conduct](#) demonstrates our adherence to the highest ethical standards.

The RF website provides a vast range of resources that serve our SUNY faculty and campus customers and report about our business to our many audiences and stakeholders. Your *Employee Handbook* is one such resource that should be reviewed and relied upon regularly in the performance of your work.

Whether you are working on a sponsored award or other RF activity, you are an essential member of the RF team. Your contributions allow the RF to successfully move its mission forward.

Sincerely,

Jeff M. Check, Ph.D.  
Research Foundation President

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[Acknowledgement](#)

## About the Handbook

The information contained in this handbook is presented as a guide for employees of The Research Foundation for The State University of New York (“RF”). This easy reference handbook provides as much information as possible about the RF [policies](#), [procedures and guidance](#), and [benefits](#). It is an introduction to the RF, our vision, mission and values, and what you can expect from us and what we expect from you.

We believe employees are key to our long-term success and understand the importance of a positive working environment. A positive environment is accomplished by maintaining, communicating and adhering to the RF's policies. The policies create a positive, productive and meaningful work environment, where teamwork is the norm and pride is evident. RF policies also enhance our culture of compliance. They ensure that our day-to-day actions and behaviors are consistent with the RF’s purpose and strategy.

Please understand that this handbook only highlights RF policies, procedures and guidance, and benefits for your education. In order to retain necessary flexibility in the administration of policies and procedures, the RF reserves the right to make revisions without notice. In the event of conflicts or differences between the wording of the policies themselves, and the summaries of this handbook, the terms of the policies will govern.

This handbook also summarizes benefits currently available to our employees. In the event of conflicts or differences between the wording of the benefit plans themselves, and the summaries of this handbook, the terms of the benefit plan will govern.

The RF and/or the plan administrator have the sole discretion to determine eligibility for benefits and to interpret and administer these plans. The RF reserves the right to change, revise or terminate, or change the terms and conditions of any of the benefits discussed in this handbook without advance notice.

Do not consider this handbook your only source of information about the RF and your job. In fact, we want you to make every effort to learn as much as possible about the procedures and goals applicable to your job and function through your manager and fellow employees.

The RF will strive to keep you informed and updated on new policies, benefits, organization information, and other important news through meetings, communications and via the [RF Web site](#).

Remember, if you have a question concerning any of the information contained in this handbook, please consult with your supervisor, your operations manager, the campus office that handles human resources matters or the central office of Human Resources at (518) 434- 7080.

**The information contained in this handbook is not a contract and does not alter the at-will employment relationship and both you and the RF may terminate the employment relationship at any time, unless the terms and conditions of your employment are subject to a Collective Bargaining Agreement (“CBA”). This handbook supersedes all prior handbooks and written or verbal guidance, promises or assurances, except as provided herein. The RF reserves the right to add, supplement, modify or abolish any personnel policies or handbooks without notice and in its sole discretion.**

**Employees covered under a CBA should also refer to the CBA applicable to their job title and work location for additional terms and conditions of employment. This Handbook supplements your CBA and any matter not contained in your CBA is governed by RF’s policies and procedures. To the extent the provisions of this Handbook, or any other RF policy or procedure are inconsistent with the CBA’s terms, the terms of the CBA will govern.**

## Vision, Mission, Values

### Vision

The Research Foundation will be the best-in-class partner as it:

- delivers high-quality, focused, and efficient service to faculty and staff, sponsors and the SUNY research community
- provides an environment that facilitates sponsored program collaboration – among SUNY campuses and with the public and private sectors
- capitalizes on the scope, scale and diversity of SUNY as an engine of New York State’s innovation economy

### Mission

The Research Foundation works with the academic and business leadership of campuses to support research and discovery at SUNY through efficient and skillful administration of sponsored projects and adept transfer and sharing of intellectual property for public benefit and economic growth.

### Values

In carrying out its mission, the RF values:

- people, community and collaboration
- the academic environment and individual campus missions
- integrity and ethical behavior
- flexibility, adaptability and innovation
- quality and efficiency
- accountability and transparency

The [Strategic Plan](#) and [Mission, Vision, and Values](#) may be found on the RF website.

The Research Foundation is committed to [Diversity and Inclusion](#).



## What Is the Research Foundation?

The RF is the largest, most comprehensive university-connected research foundation in the country. It exists to serve the State University of New York (SUNY) by providing essential administrative services that enable SUNY faculty to focus their efforts on research, scholarship and students, to advance life-changing research and innovation in every scholarly and scientific discipline – from life sciences and medicine; engineering and nanotechnology; physical sciences and energy; and social sciences to computer and information sciences.

The RF mission is to work with the academic and business leadership of campuses to support research and discovery at SUNY through efficient and skillful administration of sponsored projects and adept transfer and sharing of intellectual property for public benefit and economic growth.

The RF supports SUNY with a common set of people, technology and processes that enable faculty to write and submit grant proposals to agencies, foundations and companies; to establish contracts and manage funding that is awarded to run campus-based research projects; to protect and commercialize intellectual property created within those projects; and to promote transparency and accountability throughout the process.

The RF is a private non-profit educational corporation that is tax-exempt under Internal Revenue Code (IRC) Section 501(c) (3).

## Employee Assistance

The RF strives to provide excellent customer service through comprehensive, integrated support to our employees. Each campus has either an HR office or an office that administers RF policies and procedures and provides day-to-day services in coordination with the campus operations manager. These services include recruiting staff, processing appointments to payroll, providing orientation programs, assisting in enrolling and receiving benefits, administering salary and leave policies, maintaining employee records and implementing equal employment opportunity procedures, in addition to other services.

For more information on the RF [policies](#) and [procedures](#) and at your location and the services available to you as a RF employee, please contact your campus office that handles RF human resource matters. You may also contact specific subject matter experts at the RF's central office for additional assistance, using the [contacts page](#) on the RF website.

# Working at the Research Foundation

## Introduction to Your Job

Whether you are a new employee or an experienced member of the RF team, your performance on the job contributes to the successful functioning of sponsored program administration and innovation support services.

RF employees can be found in administrative offices, at archaeological digs in Central America, in medical research labs or in the classrooms of third world countries. Whatever specific job you are doing, you are representing yourself, the RF sponsored project or administrative position for which you work, and the entire RF organization.

A positive, cooperative, self-motivated, courteous and professional attitude is an essential element of every position. While different positions have different areas of responsibility, we all need to work as a team, and we expect each employee to pitch in as necessary.

Since ground rules vary depending on your job and location, ask your supervisor for the proper work rules to follow. If you are working in an environment where there is frequent contact with customers and guests from outside the corporation, the RF encourages you to maintain a professional appearance with proper dress attire.

## Conditions of Employment - Employment-at-Will

Employment with the RF is on an at-will basis, meaning the employment relationship can be terminated at any time by the employee or the employer. An employee-at-will relationship means there is no specified length of time the employee or the employer expects the employment relationship to last.

Employees who are subject to a Collective Bargaining Agreement (“CBA”) are not subject to RF’s Employment-at-Will policy, and the terms and conditions of the CBA apply.

Accordingly, the employment relationship can, in general, be terminated at any time by either party. This RF policy of at-will employment may be revised, deleted or altered only by a written employment agreement signed by the RF President, or by an applicable CBA.

## Code of Conduct

Integrity and ethical behavior are key RF values and are fundamental to accomplishing the vision and mission of the RF. Our continued commitment to the public trust placed in us is critical to successfully fulfilling our mission to serve SUNY. Fulfilling our responsibilities as a good corporate citizen and maintaining our strong reputation supports the important research conducted by SUNY faculty across New York and around the globe.

The RF Code of Conduct provides a standard of conduct for all RF employees and everyone who does business with the RF. It is the playbook for compliance with laws and ethical practices designed to help you make ethical decisions over and above what the law may require.

For more information, refer to the RF [Code of Conduct](#).

### Employment Eligibility

The RF complies with the [Immigration Reform and Control Act of 1986](#), as amended, and other federal laws that require employers to verify that all employees are authorized to work in the United States, regardless of citizenship. All new employees are required to complete an Employment Eligibility Verification form (Form I-9) and produce documents establishing identity and authorization to work at the time of hire.

As a federal contractor, the RF also participates in the E-Verify system. E-Verify is a web-based system that uses information obtained on the I-9 Form to verify employment eligibility. See the RF [Employment Eligibility Policy](#) for more information.

Please contact your campus office that handles RF human resources matters or [Human Resources at central office](#) for additional assistance.

### New Employee Orientation Period

Each campus office holds an orientation session for new employees soon after they are hired.

This orientation session demonstrates the collegial atmosphere of the RF and introduces the positive employee relations environment in which you should work. Generally during this orientation, you will learn about employee benefit programs, human resource policies and other information that supports you at the RF.

In addition, during your new employee orientation period and on an ongoing basis during your career, your supervisor is the best initial source of information if you have questions regarding job duties, policies and procedures that must be followed in the workplace, and the use of facilities, equipment and supplies. You can also find background information about the RF in the [About Us](#) section on the RF Web site.

### Standard Workweek/Time and Attendance

The RF has established a workweek period that extends from Saturday at 12:00 a.m. to Friday at 11:59 p.m. Within this workweek period, the RF has established either a 37.5-hour or a 40-hour standard workweek as the basis for full-time employment (1 full time equivalent [FTE]).

Your supervisor will inform you of the hours for your standard workweek and will notify you of any changes in the standard workweek. Your supervisor will also establish and inform you of the hours you will work each day. It is important for the normal conduct of business that you work as scheduled.

For more information, please review the RF [Standard Workweek Policy](#).

### Time Reporting

RF employees must accurately complete time reporting documents. If you are a nonexempt employee, you will complete either an hourly or biweekly attendance report (timesheet) that

documents each hour you worked. This will ensure that you are paid overtime if you are eligible. If you are an exempt employee, you will complete an exception report for each calendar month. Rather than recording each hour worked, daily exceptions to time worked are recorded on this report.

Nonexempt timesheets are due at the end of each pay period and exempt reports are due at the end of each month. Time records must be signed by both you and your supervisor. You must certify at the time of submission that each time record that it represents a complete and accurate reflection of the hours worked during the applicable period. Employees who inaccurately report their time or falsify their time records are subject to disciplinary action up to and including termination of employment.

For more information, please review the RF [Time Reporting Policy](#).

### Breaks and Meal Periods

The RF provides unpaid meal periods to eligible employees and, although not required by law, allows the scheduling of rest breaks during the course of a workday. The RF recognizes the benefit of meal periods and rest breaks and understands the need of employees to attend to personal needs during the day.

The RF will provide an unpaid meal period to employees working more than six hours in a day, of not less than a half hour and no more than one hour, to coincide with a midday or evening meal. Employees must take at least a half hour meal period each day they work six hours or more and must not perform any work during their meal period. Employees working less than six hours a day will be eligible for rest breaks as they are permitted in their respective departments. Employees whose shifts begin prior to 11:00 a.m. and last beyond 7:00 p.m. will be provided with an additional 20 minute meal period, to coincide with their evening meal.

The provision of rest breaks will be left to the discretion of each department head, vice president, or functional leader. Generally, the RF will allow for up to two scheduled 10-minute rest breaks per day for full-time employees, one in the morning and one in the afternoon, and will allow part-time employees one rest break period during their shift. Rest break schedules may be revised or suspended at any time, at the sole discretion of the supervisor, based on business needs.

### Breaks for Nursing Mothers

Employees who are nursing are eligible for at least 20 minutes of break time every 3 hours for up to 3 years after the birth of a child to express breast milk. You may use accrued leave time or work before or after your work shift to make up this time. Employees must give notice of intent to use this benefit, preferably before returning after a birth.

For more information, please review the RF [Meal Periods and Work Breaks Policy](#).

### Personnel File

Your RF campus human resources office usually maintains your official personnel file, which is

a permanent and confidential file and is the property of the RF. Upon request, current and former RF employees are generally permitted access to the information in their personnel file. A staff member in the human resources office will accompany you should you wish to review your file.

We want you to be aware that certain sensitive information may be withheld from inspection, except where such restrictions are prohibited by law. This sensitive information includes, but is not limited to, third-party references, confidential management documents or plans and information on security or criminal investigations.

In addition, any protected information, e.g. an information subpoena, about an employee that is maintained in any format may also be held in strict confidence, unless there is a legitimate business need or legal reason to provide it to another person or organization.

### Disclosure of Employee Information under Freedom of Information Law

The RF complies with New York's Freedom of Information Law (FOIL) and provides, upon request, records within its possession.

While the organization is very sensitive to the disclosure of personal information, the RF may be required to provide certain employment-related documents. For example, FOIL may compel disclosure of basic employee information, such as name, title, work address, and salary.

There are certain exceptions to the FOIL disclosure requirement, and the RF will apply those exceptions where appropriate. Additionally, certain types of information (e.g., social security number, home address) are not subject to disclosure unless otherwise required by law.

Please note that personnel information may also be subject to disclosure in other circumstances (e.g., to law enforcement or governmental entities, during an administrative proceeding, or in litigation).

Employees can visit the RF [Web site](#) or contact the Records Access Officer at [FOIL@rfsuny.org](mailto:FOIL@rfsuny.org) for more information regarding FOIL.

### References

All requests from prospective employers for references should be directed to the operations manager at your location. If the operations manager is unavailable, direct the requests to the person in charge in the campus office that handles human resources matters. No other supervisor or employee is authorized or permitted to release references for a current or former employee. Unless there are exceptional circumstances as determined by the RF in its sole discretion, the RF will respond to all reference requests by providing only dates of employment and positions held.

## Workplace Issues

### Equal Employment Opportunity Practice

The RF is an equal employment opportunity employer and prohibits discrimination based on race, color, religion, creed, sex (except where sex is a bona fide occupational qualification),

sexual orientation, gender identity or expression, age (over 18), national origin or ancestry, citizenship, disability, military or veteran status, marital status, familial status, domestic violence victim status, predisposing genetic characteristics/genetic information, as well as any other trait protected by applicable federal, state, or local laws.

The RF will not tolerate unlawful discrimination in any employment practices, including, but not limited to, advertising, recruitment, hiring, promotion, demotion, transfer, compensation, training, discipline, and layoffs or separation from employment.

The RF is committed to a diverse and inclusive workplace, where each person is valued for his or her unique experiences, abilities, and viewpoints. Please read more about this Diversity and Inclusion Message on the RF [web site](#).

To assure equal employment opportunities to qualified individuals with disabilities, the RF will provide reasonable accommodations to such individuals where needed during the application/hiring process or to perform the essential functions of their positions, except where doing so would pose an undue hardship. If you believe that you need a reasonable accommodation during the application/hiring process or to perform the essential functions of your position, you must notify your RF campus human resources office. The RF will work with you to develop a reasonable accommodation that allows you to successfully perform the essential functions of your position. After engaging the employee in the interactive process, the RF retains the right to select which accommodations, if any, will be granted.

The RF will also provide reasonable accommodations to applicants and employees with a sincerely held religious belief, except where doing so would pose an undue hardship on the RF's business or operations. If you believe that you need a reasonable accommodation for your sincerely held religious belief, you must notify your RF campus human resources office.. The RF will work with you to develop a reasonable accommodation that allows you to observe your sincerely held religious belief while performing the essential functions of your position. After engaging the employee in the interactive process, the RF retains the right to select which accommodations, if any, will be granted.

For more information on the RF equal opportunity policies and procedures at your location, please contact your RF campus human resources office or view the RF's [Equal Employment Opportunity and Antidiscrimination Policy](#). Please contact the operations manager at your campus or the campus RF human resources office if you would like additional information on the RF's affirmative action policies, procedures and programs. You may also contact the RF's central office of [Human Resources](#) for additional assistance.

### [Preventing Harassment in the Workplace](#)

The RF prohibits sexual harassment and harassment because of race, color, religion, creed, sexual orientation, gender identity or expression, age, national origin or ancestry, citizenship, disability, military or veteran status, marital status, familial status, domestic violence victim status, genetic characteristics/genetic information, or any other trait protected by applicable federal, state, or local law. Any such harassment will not be tolerated.

Applicable state and federal laws define sexual harassment as unwanted sexual advances, requests for sexual favors, or other sex-based visual, verbal, or physical conduct when:

1. submission to the conduct is made either implicitly or explicitly a term or condition of employment;
2. submission to or rejection of the conduct is used as basis for employment decisions affecting the individual; or
3. the conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment.

This definition includes many forms of offensive behavior. The following is a partial list of conduct/behavior that may constitute sexual harassment:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters;
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any employee's body or dress;
- Verbal sexual advances or propositions;
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations;
- Physical conduct such as touching, assault, or impeding or blocking movements; and
- Retaliation for reporting harassment or threatening to report harassment.

Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a supervisor, or harassment by persons doing business with or for the RF. Harassment can also occur when the harasser is the same sex or gender as the individual being harassed. Bystanders who are not the target of sexual harassment may also be victims of sexual harassment.

Prohibited harassment on the basis of race, color, national origin, ancestry, religion, disability, marital status, age, sexual orientation, gender identity or expression, citizenship status, status as a victim of domestic violence, or any other protected basis, includes behavior similar to sexual harassment, such as:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement; and
- Retaliation for reporting harassment or threatening to report harassment.

As a RF employee, you are required to avoid engaging in conduct that inappropriately interferes with your colleagues' work performance or that creates an intimidating, hostile, or offensive work environment.



For more information, please review the RF [Equal Employment Opportunity and Antidiscrimination Policy](#).

### Resolving Allegations of Discrimination, Harassment, and Retaliation Complaints

When a person believes that he or she has been the victim of discrimination or harassment or has observed discriminatory or harassing behavior, they should report their concerns using the [Resolving Allegations of Discrimination, Harassment, and Retaliation Complaints](#). You may also obtain a copy of this procedure from your campus RF human resources or affirmative action office.

**Prohibition Against Retaliation** The RF prohibits retaliation against anyone for utilizing, in good faith, the complaint procedure; for participating in an investigation of discrimination or harassment; or engaging in legally protected activities. To the extent possible, the confidentiality of discrimination complaints will be maintained.

If you believe you have been subjected to retaliation, you must notify your campus RF human resources, your campus operations manager or a human resources representative in Central Office. Any employee who retaliates against an individual who reports discrimination under this policy or participates in an investigation will be subject to disciplinary action, up to and including separation of employment.

### Progressive Discipline Policy

The RF uses progressive discipline to address an employee's work performance issues and/or inappropriate behavior, including non-compliance with RF policies and procedures. The intent of progressive discipline is to help employees correct their issue(s) to become successful, productive workers. Progressive discipline provides managers and supervisors with a consistent and fair process for handling disciplinary issues.

The RF may use any level or combination of progressive discipline steps, up to and including separation of employment, and may proceed directly to termination under certain circumstances. All employees, including supervisors and managers, are subject to progressive disciplinary action.

For more information, please review the RF's [Progressive Discipline Policy](#) and [Involuntary Termination of Employment](#).

### Drug-Free Workplace Policy

The RF, as a federal contractor, is required to maintain a drug-free workplace.

In connection with the RF's drug-free workplace compliance efforts, please note the following requirements:

- Each employee is required to be given a copy of the RF's [Drug-free workplace Policy](#) at new employee orientation time.
- Employees must, as a condition of employment, report any criminal conviction under a criminal drug statute for violations occurring on the RF premises or while conducting RF



business. A report of a conviction must be made to the employee's supervisor within five days of the conviction.

- Within 30 days of the date the RF learns of any employee's conviction, it will discipline the employee, up to and including separation of employment. Any employee who is not terminated will be required to satisfactorily participate in and complete a drug abuse assistance or rehabilitation program.

The RF will make ongoing, good faith efforts to maintain a drug-free workplace by implementing the above requirements.

If you have any questions or need additional assistance regarding our drug-free workplace compliance efforts, contact the employee relations staff at central office or the campus RF human resources office.

For more information, please review the RF's [Drug-free Workplace Policy](#).

### Conflict of Interests and Nepotism

The RF has adopted a [Conflict of Interest Policy](#) which states in pertinent part:

No officer or employee of the RF should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his or her duties in the best interest of the RF.

All RF employees are expected to be familiar with and act in accordance with the policy. The policy also sets standards for the proper conduct of RF business and describes the activities that would be considered a conflict of interest.

Under this policy:

- Outside employment can't impair independence of judgment or disclosure of RF confidential information;
- Employee's position with RF can't be used to secure undue privileges or exemptions;
- Employee can't represent RF with another business in which employee, spouse, dependent, or business partner has a financial interest that could conflict;
- Employee must adhere to the RF's [Procurement Policy](#);
- Employee can't give an impression that special favors are handed out;
- Employee can't hold personal investments in a business where a conflict would result between RF and the employee's private interests.
- The campus operations manager or designee is responsible for enforcement of the RF [Conflict of Interest Policy](#). Conflicts of interest or potential conflicts of interest should be disclosed, reviewed, managed, monitored, and documented. All employees are expected to disclose potential conflicts as they arise. Potential violations of policy can be reported to your local operations manager or through the RF's [Ethics Hotline](#).

In addition, all RF employees must adhere to the provisions Section 74 of the New York State Public Officer's Law. For additional information on this law contact the Office of Compliance Services at central office or go to <http://www.jcope.ny.gov/>.

The RF also recognizes the risk of conflicts of interest arising where the RF hires a current employee's relative or another individual with whom there is a close personal relationship. The RF prohibits employees from involvement in hiring, supervising, or terminating the employment of a family member or certain related parties.

For more information, review the [Conflict of Interest Policy](#) and/or the [Nepotism Policy](#), contact your campus operations manager, or contact the following staff at central office for immediate assistance: General Counsel, Chief Compliance Officer, or the Employee Relations Manager.

### [Gifts to Employees from Non-RF Sources](#)

To avoid conflicts of interest or the appearance of impropriety, the RF restricts RF employees or representatives from soliciting, accepting, or receiving any gift of more than a nominal value – regardless of the form of the gift or whether it is given directly to the employee/representative or to a third party, including a charitable organization. Please review the [Gifts to Employees from Non-RF Sources Policy](#) for more information.

### [RF Confidential Information Policy](#)

Accountability and transparency are important RF Values. A strong commitment to transparency is how we earn the trust and respect that is critical to our success. To that end, the RF may provide information about its finances; business decisions; relationships; employees; and other aspects of the RF's operations. Disclosures about employees may include, but are not limited to, employee title, business address, years of service, and salary information. Those disclosures will be managed through the RF's Records Access Officer at [FOIL@rfsuny.org](mailto:FOIL@rfsuny.org).

Confidential information stored on the RF network and/or in any media is an important resource for all RF employees and those acting on behalf of the RF in performing their job duties. As the organization has grown so too have internal and external threats to the security and confidentiality of RF information.

Maintaining the integrity of RF confidential information is of utmost importance to the organization. In response, an [RF Confidential Information Policy](#) was developed to reduce the risk of compromising confidential RF information and to comply with applicable state and federal laws, including the New York State Information Security Breach and Notification Act, Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the Americans with Disabilities Act (ADA) of 1990. Nothing, however, in the RF's Confidential Information Policy is intended to interfere with an employee's right to engage in activity protected by Section 7 of the National Labor Relations Act, or to discuss the terms and conditions of their employment.

All RF employees and those acting on behalf of the RF who have access to confidential RF information will ensure that this information is treated in accordance with the section "Requirements for Maintaining Confidential Information" in the RF [Confidential Information Policy](#).

In addition, all RF employees and those acting on behalf of the RF are responsible for immediately reporting any suspected violation(s) of this policy or any other action which violates confidentiality of RF information to the manager/supervisor, department vice president/head, functional director, or RF operations manager/designee, as appropriate, at the campus location.

### [Intellectual Property Policy](#)

The Research Foundation holds title to the intellectual property developed by SUNY and RF employees. The RF provides intellectual property management and technology transfer services that fuel innovation and move ideas and inventions to the marketplace. These services help the SUNY and RF research and innovation community protect, develop, fund, and market their novel ideas or inventions by:

- Identifying commercially viable inventions;
- Conducting technology assessments;
- Protecting intellectual property with patents and copyrights;
- Maintaining a portfolio of strong intellectual property assets;
- Cultivating relationships with industry and inventor partners;
- Providing businesses and investors with a portfolio of innovations that can be licensed or spun into start-up companies; and
- Managing the licensing process.

Through its Intellectual Property Policy, the RF has adopted [SUNY's Patents, Inventions and Copyright Policy](#) and all related procedures and guidelines as its own.

RF employees are required to promptly disclose any Intellectual Property (as defined in SUNY's Patents, Inventions and Copyright Policy) subject to the SUNY's policies or sponsor requirements, and will cooperate with RF, the sponsor, and the State University of New York, and execute any such documents as may be necessary to protect the subject Intellectual Property.

For more information on RF's Intellectual Property Policy, SUNY's Patents, Inventions and Copyright Policy, the disclosure process, or any other related matters please contact the RF's Office of Industry and External Affairs at (518) 434-7061.

### Fraud and Whistleblower Policy

The Research Foundation adopted a [Fraud and Whistleblower Policy](#) to encourage individuals to raise good faith concerns regarding suspected fraud or misconduct, to prohibit retaliation, to facilitate the development of controls, and to promote behavior consistent with the Code of Conduct. The policy:

- promotes high standards for ethical conduct;
- requires management to review allegations of fraud or misconduct;
- requires management to maintain an Ethics Hotline;

- encourages individuals to report potential fraud, suspected violations of the [Code of Conduct](#) or RF policies, and other misconduct through a process outlined in the policy and related procedure; and
- allows allegations to be made anonymously and offers significant protections for those who make a good faith allegation or are involved in an internal investigation.

This policy applies to all RF employees and anyone doing business for or on behalf of the Research Foundation. Any allegation of fraud or misconduct will be reviewed or investigated in accordance with the [Procedure for Investigating Fraud and Misconduct](#). Any investigation or review will be conducted without regard to the suspected wrongdoer’s length of service, position/title, or relationship to the RF. The procedure outlines the process for reviewing and investigating credible good faith allegations of fraud or misconduct involving an RF employee or other person or entity doing business on behalf of the RF. The procedure supports the Fraud and Whistleblower Policy by outlining standards for review, documentation, and reporting.

Any individual who has a good faith concern of fraud or misconduct should report this concern to their supervisor, department head, campus Operations Manager or Deputy Operations Manager, RF Office of Compliance Services, RF Office of Internal Audit, RF Office of General Counsel, or RF President, or you should call the [RF’s Ethics Hotline](#) toll-free at 1-800-670-7225.

For more information or assistance with the [Fraud and Whistleblower Policy](#) or the [Procedure for Investigating Fraud and Misconduct](#), contact your campus human resources office or RF Office of Compliance Services.

### Rights and Remedies for Whistleblowers under the Federal Acquisition Regulation (FAR) Pilot Program.

In addition to the above protections, The [National Defense Authorization Act, P.L. 112-239 \(PDF\)](#) (NDAA) for Fiscal Year 2013 established a four-year pilot program for the enhancement of contractor and subcontractor employee protections from reprisal for disclosure of, “information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.<sup>1</sup>”

Section 828(a) provides that: “An employee of a contractor, subcontractor, or grantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing the aforementioned types of information to:

- (a) A Member of Congress or a representative of a committee of Congress.
- (b) An Inspector General.

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<sup>1</sup> [41 U.S.C. §4712, sec. 828\(a\)](#)

- (c) The Government Accountability Office.
- (d) A Federal employee responsible for contract or grant oversight or management at the relevant agency.
- (e) An authorized official of the Department of Justice or other law enforcement agency.
- (f) A court or grand jury.
- (g) A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.”

In addition, an employee who initiates or provides evidence of contractor, subcontractor, or grantee misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Federal contract or grant shall be deemed to have made a disclosure.

The term “abuse of authority” means an arbitrary and capricious exercise of authority that is inconsistent with the mission of the Federal agency concerned or the successful performance of a contract or grant of such agency.

A whistleblower who believes that she or he has been discharged, demoted or otherwise subject to reprisal for a disclosure protected may submit a claim to the Inspector General of the Executive Agency involved.

Please note: This right to file a complaint with the appropriate Inspector General is independent and distinct from the employee’s right to file a concern or complaint under the RF’s [Fraud and Whistleblower Policy](#).

### Travel

If you travel on official RF business and your expenses are authorized, you will be reimbursed for expenses in accordance with the [RF Travel Handbook](#). This outlines the policies, procedures, and responsibilities related to RF travel. The information in these procedures helps govern the expenditure of travel funds from sponsored program, administrative, and agency accounts. These procedures apply to all travel undertaken in connection with:

- the performance of operational or administrative functions.
- sponsored programs administered by the RF.

Travel costs are generally allowable when they are directly attributed to specific work on a sponsored project. The RF retains the right, in its sole discretion, to deny reimbursement for any expense it deems disallowable under the terms outlined in the RF Travel Handbook. In addition, there is medical, safety, and travel information available to you on the [International Travel Website](#). For more information on the Travel policy, contact your operating location office responsible for travel reimbursement. If additional assistance is needed, contact the Finance Office at central office. For more information please review the [RF Travel Handbook](#).

### Solicitation and Distribution

The Research Foundation’s guidelines on solicitation and distribution were established in order to maintain an environment free from distracting solicitation. As such, employees are not permitted to engage in solicitation or to distribute literature:

- during their work time or
- at any other time if such distribution or solicitation interferes with other employees' work activities.

The only exception is that the RF may authorize the solicitation of funds, goods, or services for charitable purposes.

You should be aware that persons not employed by the RF may not, without prior authorization solicit, sell, or distribute merchandise, services, or literature in RF work areas for any purpose at any time.

For more information on these guidelines, contact your campus office that handles human resources matters.

## Safety and Security

### Information Security

The RF operates and maintains a highly sophisticated computer network that provides access to information on grants, contracts, and employees at all campus locations where research and sponsored programs are conducted. For more information, please review the RF [Acceptable Use and Security of RF Data and Information Technology Policy](#).

As an RF employee, you play a major role in ensuring that work-related information that is discussed or disseminated is kept confidential. You should always protect the confidentiality of your user ID, password, and all accounts you use to access data processing resources and facilities. This is not intended, however, to interfere with your right to engage in protected concerted activity under Section 7 of the National Labor Relations Act, or your right to discuss the terms and conditions of your employment.

Notify a responsible person, such as your supervisor or the data or information security officer at your campus, if you suspect system abuse. If you are unaware of the proper security procedures at your campus, ask your supervisor for assistance in learning these procedures.

### Safety

As an employee, you have certain access to the RF location where you work. Access to your work location should be only for work purposes. For most employees, this access is usually limited on nights and weekends. For more information on this policy, please contact your campus operations manager or the campus RF human resources office.

If you become involved in an accident on the job, report it immediately to your supervisor and complete the accident report form provided by your supervisor. This report is the basis for correcting any safety hazards, complying with insurance requirements, and protecting employees from future injury. Should you have concerns about the safety of your work environment, discuss your concerns with your supervisor. Failure to report accidents may result in disciplinary action up to and including termination of employment.

## Workplace Violence

The RF is committed to maintaining a workplace that is free from behavior that is considered harassing, abusive, disorderly, or disruptive.

Acts or threats of physical violence, including intimidation, physical harassment, and/or coercion, that involve or affect RF employees or that occur on RF or SUNY property or in the conduct of RF business off RF premises, will not be tolerated.

The RF's [Equal Employment Opportunity and Antidiscrimination Policy](#) also contain important information for all RF employees and those acting on behalf of or conducting business with the RF about harassment, including sexual harassment.

This prohibition against threats and acts of harassment or violence applies to all persons involved in RF operations, including, but not limited to, RF employees and those acting on behalf of or working with RF employees, including temporary employees and independent contractors, and anyone else on RF property or conducting RF business off RF property.

*Workplace violence* is defined as any intentional conduct that is sufficiently severe, offensive, or intimidating to cause an individual to reasonably fear for his/her personal physical safety or the safety of his/her family, friends, and/or property such that employment conditions are altered or a hostile, abusive, or intimidating work environment is created for one or more individuals.

*Domestic violence* is defined as a pattern of coercive tactics which can include physical, psychological, sexual, economic, and emotional abuse perpetrated by one person against another person, in the context of an intimate or family relationship, with the goal of establishing and maintaining power and control over the victim [Resolving Workplace Concerns Procedure](#) and [Resolving Discrimination, Harassment and Retaliation Complaints](#) are also available to all RF employees who feel that they or an RF coworker are victims of harassment and/or workplace violence.

If a campus manager or supervisor receives information that an RF employee has engaged in a threat or violent action, he or she should notify the campus RF human resources officer so the appropriate policies and procedures can be followed.

Retaliatory action against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace or domestic violence, or who has been involved in reporting, investigating, or responding to workplace or domestic violence is a violation of the RF's guidelines. Those individuals found responsible for retaliatory action will be subject to disciplinary action, up to and including separation of employment.

## Resolving Workplace Concerns

We strive to provide an environment of open, honest dialogue and realize that you may occasionally have concerns about work rules or how you are treated on the job. To assist you and your supervisor in addressing these matters, the RF has established a procedure for [Resolving Workplace Concerns Procedure](#). If you use this procedure, your concerns will be kept confidential to the extent possible and you will be protected from any type of retaliation by a manager or supervisor.



You may also obtain the procedure from your campus RF human resources office.

### Data Security Guidelines

The RF takes steps to ensure that sensitive information remains confidential, yet is available when needed. All records, data, and information (“information”) that are created in the course of business, including without limitation, e-mail, memoranda, spreadsheets, Internet usage, and other documents or files, whether actual paper documents or in electronic form, are and remain the exclusive property of the RF, regardless if this information is your personal information. Moreover, the RF reserves the right to monitor the use, storage, and dissemination of such information at any time and without advanced notice. More information is available in the RF’s [Acceptable Use and Security of RF Data and Information Technology Policy](#).

In your work you will learn confidential information about the RF’s business. Every employee at the RF has a professional and ethical responsibility to treat this information as confidential and to ensure such information is not improperly disclosed.

Except as required in the performance of your duties for the RF, you may not use or disclose any confidential information and must, when you leave the RF, return all copies of documents, notes, computer disks, etc. which contain such confidential information.

Some examples of confidential information include, but are not limited to:

- Internal memos and letters;
- Cost and financial figures;
- Board of Director materials; and
- Reports from consultants into the workings of the RF.

This policy is not intended to infringe upon your right to engage in protected concerted activity under Section 7 of the National Labor Relations Act, and to discuss the terms and conditions of your employment. For more information on these guidelines, contact your campus RF operations manager.

Refer to the [RF Confidential Information Policy](#) section in the handbook for information on how the RF may provide RF confidential information to outside parties.

### Special Considerations Related to the Internet

Employees should exercise caution when disclosing documents, spreadsheets, data or other information over the Internet and be sure to take appropriate measures to secure and protect data.

Any libelous statements, infringement of copyrighted materials, unlawful harassment, misrepresentations or commitments made via Internet communication could expose you and the RF to liability.

Access to and use of the Research Foundation’s network, computers, internet, email, and other digital media and platform is for work purposes. Personal use of the internet should be



minimized and needs to conform to the RF's Acceptable Use and Security of RF Data and Information Technology (link to policy is above).

### Electronic Communications

The RF provides computer and telephone equipment and related facilities for the purpose of conducting RF business. The RF reserves the right to review electronic communications and information stored in a computer or exchanged over RF-provided systems, including without limitation e-mail, voice mail, and/or stored e-mail or voice mail messages, at the RF's discretion without prior notice. Use of RF-provided systems shall be considered consent to monitoring.

Employees are expected to conduct their electronic communications in the same professional and respectful manner as all other internal or external communications. Employees may not use RF computer facilities to conduct illegal activities of any sort or in violation of RF's policies and procedures, including without limitation infringement of copyrighted materials or harassment.

When accessing the RF internal systems remotely, the same responsibilities and requirements apply as if you were working at the office and employees should take measures to ensure RF data is protected and secure. More information is available in the RF's [Acceptable Use and Security of RF Data and Information Technology Policy](#). Employees who violate this policy may be subject to discipline, up to and including separation of employment.

### Research Foundation Property

During your employment with the RF, you may be issued certain equipment to enhance your ability to perform your job. Such equipment may include, without limitation, a desktop or laptop computer, cell phone, smart phone or other technical devices, security access device, telephone, parking permit, ID cards, and other property ("equipment"). This equipment is owned by the RF. If your employment ends for any reason, you must return, in good condition and repair, all RF equipment in your possession on or prior to your separation date or as soon as practicable after your separation date. If the RF determines that a piece(s) of equipment is of *de minimus* value and the separating employee is interested in retaining the equipment, the RF may, in its discretion, transfer ownership of the equipment to the separating employee. Damage or theft of RF-issued equipment may result in discipline, up to and including separation of employment.

## Compensation

### Pay Transparency

The Research Foundation, as a federal contractor, will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the Research Foundation's legal duty to furnish information. (41 CFR 60-1.35(c))

## Salary

The RF's compensation guidelines are designed to provide you with a salary that is competitive with local and national market conditions. All positions are classified under specific titles and salary grades or ranges. This classification system reflects job relationships and salary equity. Pay increases occur within minimum to maximum ranges assigned to each job classification.

For additional information, refer to [Salary Rules and Policies When Assigning Regular Employees](#).

## Position Classification Policy

The RF has established a [Position Classification Policy](#) for its employees for the purpose of maintaining salary and wage equity and for consistency in the treatment of its employees.

The RF makes every effort to ensure that each position is classified correctly; however, sometimes job assignments vary. If your work has changed significantly, discuss the matter with your supervisor.

Your supervisor can give you a copy of the job description for your specific position. You and your supervisor should also discuss asking your human resource office to review the position classification. That office has information about the standards used to determine the classification of your position.

## Your Paycheck

The RF's pay cycle is biweekly, generally with a Friday pay date. Each payroll check reflects regular time worked during the two weeks through and including payday for all salaried nonexempt employees. Extra hours and overtime wages for salaried employees are paid on a two-week lag. Nonexempt employees paid on an hourly basis are generally paid on a two-week lag.

We make every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, we promptly will make any correction that is necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any question, please contact the office that handles RF Human Resources on your campus.

Your timesheet (for non-exempt employees) or exception report (for exempt employees) is used to determine payment for services performed and is required to be completed accurately and on a timely basis. It is a violation of the RF's policy for any employee to falsify a time card, or to alter another employee's time card.

For non-exempt employees, your time card must accurately reflect all regular and overtime hours worked, any absences, early or late arrivals, early or late departures and meal breaks. When you receive each pay check, please verify immediately that you were paid correctly for all regular and overtime hours worked each workweek. You should not work any hours outside of your scheduled work day unless your supervisor has authorized the unscheduled work in advance. Do not start work early, finish work late, work during a meal break or perform any other extra or overtime

work unless you are authorized to do so and that time is recorded on your time card. Nonexempt employees are prohibited from performing any “off-the-clock” work. “Off-the-clock” work means work you may perform but fail to report on your time card. All time worked must be recorded. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge.

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours that you may work for the RF. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

You will receive your full salary for any workweek in which work is performed. However, under federal law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary can be reduced for the following reasons in a workweek in which work was performed:

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

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

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

Please note: You will be required to use accrued vacation, sick, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability. However, your salary will not be reduced for partial day absences if you do not have accrued paid time off.

## Direct Deposit

The RF's [direct deposit program](#) is available to all employees who want to participate. Employees can have all or a portion of their net pay directly deposited to any financial institution that is a member of the New York Automated Clearing House.

For additional information on this program, contact your campus office that handles human resource matters.

## Overtime

Employees will be classified as exempt or non-exempt employees. Non-exempt employees are eligible for overtime pay in accordance with applicable law and are required to complete a time sheet each pay period, accurately recording the hours worked each day during that period.

Overtime pay is calculated based on the RF's workweek beginning Saturday at 12:00 a.m. and ending Friday at 11:59 p.m. Clerical, technical support, and other positions eligible for overtime pay are paid one and one-half times the regular rate of pay for all hours worked in excess of 40 in any workweek. Generally, overtime must be arranged with your supervisor in advance. Employees who work unauthorized overtime may be subject to disciplinary action up to and including separation of employment.

Exempt employees hold certain professional, administrative, and executive positions whose job classifications meet the federal and state requirement for overtime exemption. Exempt employees are compensated on a salary basis, except where permitted by law, and are not eligible for overtime pay.

Human Resources will notify you if you are an exempt employee. If you are classified as an exempt employee, you will be required to complete a monthly leave report to verify that you worked as scheduled and to record any charges to leave credits.

## Leave

The RF offers a variety of paid and unpaid leave many of which are included in this section.

### Paid Time Off (PTO)

The RF realizes that it is important for employees to have a healthy work-life balance, and has created and implemented a well-designed [Leave Policy](#). The RF allows eligible employees to earn accruals for vacation, sick and personal time, and to take other types of leave such as holiday leave, military leave and leave without pay.

Salaried employees appointed to at least 50 percent of the standard full-time schedule are eligible to accrue leave. Unless there are special circumstances, an employee cannot take paid time off unless it is already accrued.

Employees assigned to the following student titles are not eligible to receive leave accruals:

- Research Project Assistant
- Project Instructional Assistant
- Research Aide
- Senior Research Aide
- Camp Counselor-Student

For additional information on eligibility for leave and how it is administered, refer to the RF Leave Policy. Following are types of paid time off:

### Paid Time Off Sick

The primary purpose of PTO Sick is to provide a reasonable measure of protection against loss of income due to illness or disability. PTO Sick may also be used for a death or illness of a immediate family member. Immediate family is defined as parent, child, spouse, sibling, parent-in-law, child-in-law, grandparent, grandchild or any person with whom you make your home. The amount of sick leave you accrue and are able to use depends on the date you were hired, your employment status and your position title. Your campus RF human resources office will explain your eligibility,. PTO Sick time is not paid out upon separation of employment.

### Paid Time Off Vacation and Personal

Subject to managerial approval, PTO Vacation may be taken for rest and relaxation at employees' request. Personal time may be used with manager approval for absences due to pressing personal business and other similar circumstances, e.g., medical appointments, banking, and so on, that cannot be taken care of other than during normal working hours.

Your eligibility to accrue and use Vacation and Personal PTO depends on the date you were hired, your status as a full-time or part-time employee, and position title. Your campus RF human resources office will provide you with additional details on leave accruals.

Upon separation from RF employment, eligible employees will be paid for up to 30 days of accrued unused Vacation PTO. All timesheets or exception reports must be submitted and all PTO reconciled before payment can be made. If an employee is paid for work days past the date of separation, those work days may be charged as vacation time if the balance is available. Personal PTO is not eligible to be paid out upon termination of employment.

### Holidays

Generally, RF employees are eligible for 12 paid holidays which are designated as observed (your location is closed) or floating (your location is open) at their individual campus locations. If you are required to work on an RF holiday, you will be paid for your time and given a paid day off. Unused holiday time is not paid out upon separation of employment.

For a list of holidays at your campus location, contact your campus RF human resources office.

### Military Leave

Employees in the Armed Forces, National Guard, and military reserves will be provided with leave to fulfill their military obligations, including active duty, participation in drills and other

equivalent training, reserve training, instruction, annual full time training duty, active duty for training or other annual training. Employees will be paid for up to 22 work days or 30 calendar days, whichever is greater, during any one calendar year or any continuous period of ordered military service. After paid leave is exhausted, you may choose to use accrued vacation, holiday or personal leave credit or be put on leave without pay for the period of your military duty.

You may be entitled to re-employment rights and retention of full seniority benefits for all prior service upon re-employment under the Uniformed Services Employment and Reemployment Rights Act and the New York State Military Law.

Temporary employees may not be eligible for reinstatement following military leave, and reinstatement may not be required for other employees in some circumstances.

As with other leaves of absence, failure to return to work or to reapply within applicable time limits may result in separation of employment.

Spouses of members of the armed forces who have been deployed during a period of military conflict are allowed to take ten (10) days unpaid leave when that employee's spouse is on leave from the armed forces.

For additional information, refer to the procedure on [Military Leave](#).

### Jury Duty

If you are called to jury duty, you will receive the necessary time off with full pay to fulfill this civic obligation. You should request jury duty leave from your supervisor in advance and provide him or her with the necessary documentation (jury duty voucher).

### Personal Leave of Absence

You may be eligible for a personal leave of absence which may not extend past your appointment end date. Requests for personal leave without pay must be reviewed individually by your supervisor.

### Child Care Leave of Absence

Employees, regardless of sex, are entitled to leave without pay for child care for up to six months immediately following the date of delivery or adoption. Leave cannot extend beyond the period of appointment. The leave period includes the period of medical disability following childbirth, Family Medical leave and New York Paid Family Leave if applicable.

### Family and Medical Leave

The RF will grant family and medical leave in accordance with the requirements of applicable state and federal law in effect at the time the leave is requested. No greater or lesser leave benefits will be granted than those set forth in the relevant state or federal laws. The following is a summary of the relevant provisions.

Eligible employees may receive up to a total of 12 workweeks (26 weeks for military caregiver leave) of unpaid leave during a 12-month period. To be eligible for family and medical leave benefits, you must:

- have worked for the RF for a total of at least 12 months
- have worked at least 1,250 hours over the previous 12 months

Employees may:

- work at a location where the RF employs 50 employees or more within a 75-mile radius of your work location.

Leave may be used for one or more of the following reasons:

- for the birth of a child or placement of a child with an employee for adoption or foster care
- to care for an immediate family member (spouse, child, or parent) with a serious health condition
- to take medical leave when the employee is unable to work because of his or her own serious health condition
- a qualifying exigency that arises while a covered service member is on or called to active duty
- to care for a service member who has a serious illness or injury that was incurred in the line of duty while on active duty.

Employees may take family and medical leave intermittently--which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule. Certain restrictions on these benefits may apply.

Please contact your campus office that handles RF human resources matters as soon as you become aware of the need for a family and medical leave. If you need family and medical leave, you may be required to provide:

- 30-day advance notice when the need for the leave is foreseeable
- Medical certification from a health care provider (both prior to the leave and prior to reinstatement)
- Periodic recertification
- Periodic reports during the leave.

Failure to provide this information when requested may affect the eligibility for or timing of Family Medical Leave Act (FMLA) leave.

Family and medical leave is unpaid. However, the RF may require you to use or you may choose to use appropriate accrued paid time off.

The RF will maintain, for up to a maximum of 12 workweeks of family and medical leave (26 workweeks for military caregiver leave), any group health insurance coverage that you were provided before the leave on the same terms as if you had continued to work. In some instances the RF may recover premiums it paid to maintain health coverage if you do not return to work following family or medical leave.

Under most circumstances, upon return from family and medical leave, you will be reinstated to your previous position, or to an equivalent job with equivalent pay, benefits and other employment terms and conditions. However, upon return from a family and medical leave, you have no greater right to reinstatement than if you had been continuously employed rather than on leave.

For additional information on these types of leave without pay, you may contact your campus RF human resources office or refer to [FMLA - Family and Medical Leave Act \(FMLA\) Overview](#).

### New York State Paid Family Leave

RF employees working 20 or more hours per week are eligible for coverage after 26 consecutive weeks of employment. Employees who work less than 20 hours per week are eligible after completing 175 days worked. Employees must work in New York State to be eligible for this benefit.

New York Paid Family Leave (PFL) provides job-protection and income replacement to eligible employees who need to be away from work for the following reasons:

- to take care of a seriously ill family member (spouse, domestic partner, child, parent, parent-in-law, grandparent, grandchild);
- to bond with a newborn, adopted, or foster child in the first 12 months after birth or placement;
- or to attend to family issues related to a qualifying military deployment.

When practicable, employees must provide 30 days' notice when the leave is foreseeable. Private employers in New York State, including the Research Foundation (RF), are required to comply with the law.

Employees may take New York PFL intermittently--which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule. Certain restrictions on these benefits may apply.

Please contact your campus office that handles RF human resources matters as soon as you become aware of the need for a New York Paid Family Leave. If you need family leave, you may be required to provide:

- 30-day advance notice when the need for the leave is foreseeable
- Medical certification from a health care provider for the care of a family member
- Certification of birth, adoption, foster care
- Periodic reports during the leave.

Failure to provide this information when requested may affect the eligibility for or timing of New York PFL.



The New York PFL benefit for 2018 is set as follows:

- 50% of your average weekly wage (AWW), not to exceed 50% of the New York State AWW, currently \$1,305.92, for a maximum of 8 weeks.

The benefit is set to increase each year for the following three years, as follows:

- 2019 55% of your AWW, not to exceed 55% of the New York State AWW for a maximum of 10 weeks
- 2020 60% of your AWW, not to exceed 60% of the New York State AWW for a maximum of 10 weeks
- 2021 67% of your AWW, not to exceed 67% of the New York State AWW for a maximum of 12 weeks

Eligible employees may use appropriate accruals while on leave and should discuss this option with your campus Human Resources representative.

The state has mandated that all employees will pay for the new coverage through payroll deduction at a rate of 0.126% of weekly wages, not to exceed 0.126% of the statewide AWW, which is expected to increase each year. Currently the AWW is \$1,305.92, which means deductions will not exceed \$1.65 per week.

Employees whose appointment meets (or is expected to meet at the time of hire) the eligibility criteria cannot opt out of the program and payroll deductions. In rare circumstances, employees may opt out of the program if they will never meet the eligibility criteria. If you do not believe you have met, or will ever meet, the eligibility criteria listed above, then you may submit a waiver form to opt out of the program and payroll deductions. Waivers will be reviewed and approved by the campus Human Resources Department. If you opt out of payroll deductions and subsequently meet the eligibility criteria, then payroll deductions that were missed will need to be paid retro-active to December 1, 2017 or date of hire, whichever is later. The waiver form is located at <https://www.ny.gov/sites/ny.gov/files/atoms/files/PFLWaiver.pdf>.

The federal FMLA provides job-protected leave for many of the same reasons as PFL. Because the new law shares many of the same requirements and definitions as the FMLA, in most cases the two leave of absence programs will be applied concurrently, NOT one after the other.

PFL will never run concurrently with New York State mandated disability benefits (DBL), which provide a benefit when you need to miss work because of your own disabling illness or injury. PFL only comes into play when you need to miss work to care for someone else. Eligible employees can use a maximum of 26 weeks PFL and disability in a 52 week period.

The RF will maintain any group health insurance coverage that you were provided before the leave on the same terms as if you had continued to work. In some instances the RF may recover premiums it paid to maintain health coverage if you do not return to work following New York Paid Family Leave.

Under most circumstances, upon return from New York Paid Family Leave, you will be reinstated to your previous position, or to an equivalent job with equivalent pay, benefits and other employment terms and conditions. However, upon return from a family and medical leave, you have no greater right to reinstatement than if you had been continuously employed rather than on leave.

## Benefits

### Benefits for All Employees

The RF offers a wide range of benefits to employees. The following benefits are available to all employees.

### Workers' Compensation Insurance

Workers' compensation is insurance that provides cash benefits if you are unable to work because of an injury or illness directly caused by your job. It also provides medical care for workers who are injured or become ill as a direct result of their job. The RF pays the full cost for this insurance. If you are eligible for income replacement benefits, you will receive up to two-thirds of your average weekly wages, but no more than the maximum benefit set by the New York State Workers' Compensation Board. The average weekly wage is based on payroll records for the year prior to the date of disability or accident. Workers' Compensation benefits will continue until your physician approves your return to work. Contact your campus RF human resources/benefits office if you want to file a claim.

Employees who are injured or become ill as a direct result of their job must report it to your campus HR office as soon as reasonably possible. Failure to promptly notify the RF of your work-related injury or illness may result in a delay or denial in benefits.

### New York State Disability Benefits

The RF provides insurance coverage to replace a portion of your income when you are unable to work because of an illness or injury that was not caused by your job, and pays the full insurance cost. There is no waiting period if eligibility was established with a previous employer. Otherwise, coverage begins after 4 consecutive weeks of service for full-time employees or after 25 regular work days for part-time employees. Benefits begin after a seven calendar day waiting period or after your sick leave exhausts, whichever is later. You are eligible to receive 50 percent of your average salary up to the maximum benefit established under the law (currently \$170 per week). You can receive benefits while you remain disabled, up to 26 weeks. Contact your campus RF human resources/benefits office if you want to file a claim.

### Unemployment Insurance

You are eligible to file a claim if you are involuntarily terminated from employment at the RF. The first week of unemployment is an unpaid waiting period. The RF pays the full cost of this benefit. The weekly benefit amount paid to you is based on your wages and a Department of Labor (DOL) formula. Benefits end when you are no longer unemployed or after 26 weeks have elapsed since the day you began receiving benefit payments, whichever occurs first. Contact your local New York State DOL office if you want to file a claim.

### RF Ride Commuter Transit Benefit

[RF Ride](#) allows all RF employees to pay for parking and public transportation expenses needed to commute to RF employment using pre-tax income. Your purchases are made by payroll deduction and no state or federal income tax, Social Security tax, or Medicare tax is owed on qualifying expenses. Contact your campus RF human resources/payroll office to enroll.

### International Travel Assistance

The RF provides [International Travel Assistance](#) insurance to RF employees who are traveling outside the country on official RF business, and pays the full cost of coverage. This includes worldwide emergency assistance, global security services, medical advice and referrals, emergency evacuation, and health care that is needed due to illness or injury during travel. If you will be traveling internationally on a sponsored program or other RF business, ask your campus RF benefits office for more information.

### New York College Savings Program

Employees may participate in the [New York College Savings Program](#) through payroll deduction/direct deposit. Contributions are deductible from New York State gross income, and earnings are not taxed by state or federal government when used for qualifying educational expenses.

Additional benefits are offered based on your type of RF employment. A brief listing is provided below. Please refer to the following handbooks for more information, including eligibility requirements and employer-employee cost sharing:

- [Benefits Handbook](#) for Regular Employees (Includes Retirement Plan information for Summer Employees)
- [Graduate Student Employee Benefits Handbook](#)

### Benefits for Regular Employees

You are a regular employee if you do not have a summer-only appointment, are not a full-time SUNY employee, and are not a full-time SUNY student working in an RF student title.

Employees working at least 50 percent of full-time effort are eligible for the following benefits. Refer to the Benefits Handbook for details.

- [Health](#), [Dental](#), and [Vision](#) care insurance
- Pre-tax health, dental and vision insurance contributions
- [Health Care Flexible Spending Account](#) for uninsured health, dental and vision expenses
- [Dependent Care Flexible Spending Account](#) for child/dependent day care
- [Life insurance](#) and [Voluntary Short-term Disability insurance](#)
- [Long-term](#) Disability insurance (for full time employees only)
- [Basic](#) and [Optional](#) Retirement Plans
- [Auto, homeowner's and renter's insurance discounts](#)

### Benefits for Summer Employees

You are a summer employee if your RF employment is for a summer appointment only, and you

are not a graduate or undergraduate student employee. This includes SUNY faculty who work on RF projects during the summer.

[Basic](#) and [Optional](#) Retirement Plans

### Benefits for Graduate Student Employees

You are a graduate student employee if you are a SUNY graduate student employed by the RF in an eligible RF student title and your work coordinates with your education and training, leading to the fulfillment of academic requirements. As a salaried graduate student, you may be eligible for the following benefits:

- [Health](#), [Dental](#), and [Vision](#) care insurance
- Pre-tax health insurance contributions (which include dental and vision coverage)
- [Auto, homeowner's and renter's insurance discounts](#)

Refer to the [Graduate Student Employee Benefits Handbook](#) for more information on eligibility.

### Benefits for Undergraduate and Hourly Student Employees

You are an undergraduate student employee if you are a SUNY undergraduate student employed by the RF in an RF student title and your work coordinates with your education and training, leading to the fulfillment of academic requirements.

- No additional benefits

Note: The Affordable Care Act (ACA) requires large employers like the RF to offer health coverage to employees who average 30 hours per week for an extended period of time. However, undergraduate and other hourly paid students, even though they may work full-time during the summer, will not be eligible for RF health coverage since their hours are limited to part-time during the academic year.

## Other Services Offered

### Employee Assistance Program (EAP)

Many campus locations offer RF employees and their families' assistance and confidential referral services for personal issues and concerns. For more information, contact your campus RF human resources office.

### Communications

The RF regularly sends various types of communications to keep employees and other stakeholders informed of RF business and SUNY achievement. Much of this information is posted and available on the [RF website](#), the RF portal or [RF Facebook](#) page.

### Bulletin Boards

Postings containing official notices on employee rights under various federal and state laws are displayed on bulletin boards at your campus location and at corporate headquarters.

These postings include, but are not limited to, information on equal employment opportunity, the Fair Labor Standards Act, Occupational Safety and Health Administration Compliance, Workers' Compensation, New York State Short-Term Disability, Family and Medical Leave Act, and New York State Unemployment Insurance.

If you do not know the location of the bulletin board for official RF notices, contact your campus RF human resources office.

## **Contacts**

If you have any questions or suggestions about the Employee Handbook, please contact:

**Central Office Human Resources**

(518) 434-7080

[hra@rfsuny.org](mailto:hra@rfsuny.org)