

Harding Academy of Memphis, Inc.

Employee Handbook



Effective date July 1, 2009

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I. INTRODUCTION

A. Welcome Statement

Welcome to Harding Academy. You have been selected to work at Harding Academy because we believe you possess the qualities and skills that will contribute to Harding Academy's efforts to provide a quality Christian education. We hope you will find that working on the Harding Academy team is a rewarding and satisfying experience.

This Employee Handbook is designed to provide employees with important information about Harding Academy benefits, policies, rules, and procedures. All Harding Academy employees are expected to read the Handbook thoroughly and retain it for future reference. Failure to follow the policies, procedures, and rules in the Handbook may result in discipline up to and including discharge. Questions regarding this Handbook should be addressed to your immediate supervisor or to Harding Academy's General Counsel.

The benefits, policies, and procedures in this Handbook are general guidelines and statements of general Harding Academy policy and do not imply either a contract or a guarantee of continued employment with Harding Academy for a specific length of time unless specifically stated therein.

Harding Academy reserves the right to modify or eliminate any provision of this Handbook at any time. When changes are made, Harding Academy will endeavor to notify the affected employees. All representations by any director, supervisor, or other employee of Harding Academy that conflict with anything set forth in this Handbook are invalid unless specifically agreed to in writing by Harding Academy's President.

This Handbook supercedes all prior oral or written policies, procedures, rules, regulations, commitments, and practices by Harding Academy.

B. Christian Character

Christian character is a primary consideration in the hiring and retention of Harding Academy employees. In every action, each Harding Academy employee is expected to be a Christian example. Christian principles must pervade both one's employment assignment as well as one's relationships with students, fellow employees, and parents.

Each teacher and administrator is expected to be a member of a local congregation of the churches of Christ. In addition, the teachers and administrators are expected to attend the services of that congregation regularly and to be actively involved in the work of that congregation.

II. WAGE AND HOUR MATTERS

A. Anniversary Date

The anniversary date is the employee's original date of hire. A new anniversary date is established for an employee who has had an interruption of five years or more in continuous employment. Length of service is the number of years an employee has worked after his anniversary date. Length of service is used to determine eligibility of certain employee benefits.

B. Hours of Work

The school calendar and normal working hours for faculty and school-year staff members are set by the President, Elementary Principals, and the Directors of Secondary and Early Childhood Education. Normal working hours for administrative and year round staff are set by the area directors. A 30-minute unpaid meal break is provided to all Harding Academy non-faculty employees who work six consecutive hours or more a day. This break must be shown on the daily time sheets. Some employees will be expected to take meal breaks on a rotating basis to ensure that Harding Academy's telephone lines and reception areas are monitored throughout the entire business day.

C. Overtime

Occasionally, employees may be required to work overtime. All Harding Academy employees fit into one of the following overtime categories:

1. Hourly Non-Exempt – Includes all employees who are paid on an hourly basis and who are entitled to the overtime benefit set forth below.
2. Salaried Exempt – Includes all Harding Academy faculty and certain officers, directors, managers, supervisors, and administrative personnel who are paid on a salary basis but are not entitled to the overtime benefit set forth below.

Employees will work and be paid overtime compensation only with prior approval from their immediate supervisors. Employees who work more than 40 hours in one week will receive one and one-half times their regular rate of pay for all hours worked in excess of 40 hours. Holidays, vacation, sick leave, and leaves of absence are not included in the computation of actual hours worked.

D. Pay Days

Harding Academy employees are paid as follows:

- Salaried Employees – Semi-monthly (15th and last day of month)
- Hourly Employees – Bi-weekly

Faculty may elect to receive their pay on a 10-month or 12-month basis.

E. Time Records

Federal and state regulations require that Harding Academy maintain accurate and complete records of time worked for all employees who are not exempt from overtime compensation benefits. Accurate records also insure that employees are paid proper wages. Completed time sheets must be submitted to immediate supervisors who will forward them to the business office every other Monday to insure timely payment of wages. The employee and the employee's immediate supervisor must sign a completed time sheet.

“Time IN” is to be marked at the beginning of the work day and at the completion of the employee's lunch break. “Time OUT” is to be marked at the beginning of the lunch break and at the end of the work day. Employees who leave work during the day for other reasons must record the appropriate “Time IN and Out.” Time sheets are to remain in the Harding Academy offices. An employee's immediate supervisor must correct any errors or omissions on time sheets.

Harding Academy employees are prohibited from marking time sheets for other employees. Falsifying time sheets for oneself or other employees is prohibited.

F. Payroll Deductions

Harding Academy payroll check stubs show an employee's gross earnings for the pay period less the deductions required by law, or as a condition of employment of full-time employees, as well as any voluntary deductions. The check stubs will show the cumulative gross pay and deductions for the calendar year.

1. Required Deductions
 - a. Federal Income Tax
 - b. Employee Social Security and Medicare Contributions¹
 - c. Long Term Disability Insurance Premiums²
 - d. Wage Assignments (Garnishments)³

¹ Social Security and Medicare Contributions may not apply to Harding Academy student workers.

² All full-time employees are covered by LTD and premiums are paid after-tax with *grossed-up* wages.

³ Employees affected by wage assignments and/or garnishments will be notified of these deductions.

2. Voluntary Deductions

Harding Academy will deduct the following items from an employee's gross pay if the appropriate written authorization is provided to the Payroll Department:

- a. Group Health Insurance
- b. Group Dental Insurance
- c. Supplemental Insurance (AFLAC)
- d. Group Term Life Insurance
- e. Tax Sheltered Annuity Contributions (403(b) Plan)
- f. Dependent Care Reimbursement Account
- g. Medical Reimbursement Account
- h. Student Account Receivable
- i. Gifts to School

III. EMPLOYEE CATEGORIES

A. Employee Classifications

Harding Academy's work force is composed of **full-time**, **part-time**, and **casual** employees. A *full-time employee* is any employee regularly scheduled to work 35 hours or more per week. A *part-time employee* is any employee regularly scheduled to work fewer than 35 hours per week. A *casual employee* is any employee who is not regularly scheduled to work.

B. Employee Benefit Groups

Benefits available to Harding Academy employees are determined by their assigned employee category. The seven Harding Academy employee categories are as follows: Administrator, faculty, full-time staff (12 months), full-time staff (school year) with three years or more employment, full-time staff (school year) with fewer than three years employment, part-time staff, and casual (temporary).

The benefits available to employees of each category are identified on the following chart.

Benefit	Admin (A)	Faculty (B)	Staff 12 Mos (C)	Staff SY 3Yrs (D)	Staff SY<3Yrs (E)	Part-Time Staff (F)	Casual (G)
Academy Tuition – 50%	X	X	X	X			
Academy Tuition – 25%					X		
College Tuition	X	X	X				
Holidays	X		X				
Vacation	X		X				
Personal Day	X	X	X	X	X		
Sick Leave	X	X	X	X	X		
Funeral Leave	X	X	X	X	X		
Retirement Plan	X	X	X	X	X	X ⁴	
Health Insurance	X	X	X	X	X		
Dental Insurance	X	X	X	X	X		
Supplemental Health Ins.	X	X	X	X	X		
Life Insurance	X	X	X	X	X		
LTD Insurance	X	X	X	X	X		
Worker's Compensation	X	X	X	X	X	X ⁵	X ⁶
Premium Conversion	X	X	X	X	X		
Medical Reimbursement	X	X	X	X	X		
Dependent Care	X	X	X	X	X		
School Lunch Discount	X	X	X	X	X		
Enrollment Fee Waivers	X	X	X	X	X		
School Event Pass	X	X	X	X	X		
Yearbook Discount	X	X	X	X	X		

IV. EMPLOYEE BENEFITS

A. Harding Academy Tuition Benefit

Eligible employees can receive a Harding Academy tuition discount for a maximum of two children.

1. A 50% Harding Academy tuition discount is available to full-time administrators, faculty, and 12-month staff. The 50% discount is also available to full-time staff with a school year assignment with 3 or more years employment at Harding Academy.

⁴ Part-time employees who regularly work 20 or more hours per week are eligible to participate in the school sponsored retirement program.

⁵ Part-time employees are covered by Workers' Compensation.

⁶ Casual employees are covered by Workers' Compensation.

2. A 25% Harding Academy tuition discount is available to full-time staff with a school year assignment, with fewer than 3 years employment at Harding Academy.
3. Part-time teachers, with a 50% or greater assignment, are eligible for this tuition discount on a prorated basis.
4. The Enrollment Deposit, Matriculation Fee, and Late Enrollment Fee are waived for the children of full-time employees.
5. Employees have the option of paying student billing accounts on an annual, semester, ten months or twelve months basis. Payment options are made by the month of May for the following school year.
6. Employees selecting a monthly payment option may pay their student billing accounts by payroll deduction or bank draft, and will make a payment in February.

B. Christian College and University Tuition Benefit

Eligible employees can receive a tuition benefit for a maximum of two children to enable them to attend a church of Christ-related college or university. The college tuition benefit is 25% of undergraduate tuition for the fall and spring semesters only. The tuition benefit to church of Christ-related colleges and universities is available only if a similar benefit is offered by the college or university and is limited to tuition not covered by other scholarships and grants. The college/university tuition benefit is available after three years of full-time employment to faculty, administrators, and 12-month staff. This benefit is not available to married students, students over 23 years of age, or families currently receiving Harding Academy tuition discounts for two other children.

C. Holidays

Harding Academy observes and allows time off with pay to full-time 12-month employees for the following holidays:

Labor Day	Dr. Martin Luther King's Birthday
Thanksgiving (two days)	Good Friday
Christmas (two days)	Presidents Day <u>or</u> Memorial Day ⁷
New Year's Day	Fourth of July

The school may select either the preceding Friday or the following Monday as a substitute holiday if the holiday falls on a Saturday or Sunday.

⁷ The school administration will choose which day will be taken as a holiday.

D. Vacation

Harding Academy provides its full-time 12-month employees with paid vacation as follows:

<u>Years of Service</u>	<u>Staff</u>	<u>Administrators</u>
1-5 Years	10 Days	15 Days
6-15 Years	15 Days	20 Days
16+ Years	20 Days	25 Days

Vacation accrual begins upon the completion of one year of service and each anniversary date thereafter. Vacation that is earned during any given year must be taken by the end of the following year (12 months following the employee's anniversary date).

Harding Academy encourages employees to use vacation time in increments of not less than one week; however, vacation must be used in increments of not less than one day. Employees should request specific vacation dates as early as possible. Such requests must be submitted to the immediate supervisor on the *Approval Request Form for Personal/Professional/Vacation Day*. All vacation dates are subject to staffing requirements.

Employees who resign or are terminated with earned vacation time will be paid for such earned, vested, and unused vacation upon their discharge or resignation.

E. Personal Day

All full-time employees have one personal day per year for which no pay will be deducted. All such employees with fifteen or more years of service with Harding Academy will have an additional personal day for which no pay will be deducted. Personal days must be used by the employee's next anniversary date. Prior approval from the applicable elementary principal, the Director for Secondary Education, or area supervisor is required for scheduling any personal day. All requests should be made on the *Approval Request Form for Personal/Professional/Vacation Days*. A personal day taken on a school half day will count as a full personal day. Faculty may not schedule personal days immediately prior to or following a holiday or after the applicable cutoff date in the spring (April 30 for Secondary and May 15 for Elementary and Early Childhood).

F. Sick Leave

Faculty members have six days paid sick leave per year. Full-time administrators and staff accumulate paid sick leave at the rate of three-fourths day per working month. Three bonus days are given for any fiscal year when no sick leave is used. Employees may accumulate up to a combined total of sixty (60) sick days and/or bonus days from prior years. Employees who

have accumulated more than sixty (60) sick days/bonus days prior to the amendment of this policy on July 1, 2004 shall be entitled to retain the amount accumulated for use, if needed in the future, but will not be eligible to carry over any additional paid sick/bonus days until the available balance of such sick/bonus days is less than sixty (60) days from prior years of service. Any unused accumulated sick/bonus days at the time of an employee's termination shall be forfeited. Sick leave is applicable for personal illness and immediate family illness. *Immediate family* for the purpose of sick leave is defined as, a spouse, child, or parent of an employee. Harding Academy reserves the right to require medical verification for sick leave requested or taken. Sick leave is not applicable for any other reason except for funeral leave. Payment of accumulated sick leave benefits will cease upon the determination of long term disability eligibility and the commencement of long term disability benefits or the expiration of Family and Medical Leave.

G. Funeral Leave

Absence because of a death of an employee's family member will be excused and treated as paid leave if accrued sick leave is available. *Family member* for the purpose of funeral leave is defined as mother, father, sister, brother, spouse, child, grandparent, mother-in-law, father-in-law, or an individual who took the place of a parent in the employee's childhood. The duration of such leave will depend on such factors as the required travel distance and the responsibility of the employee. This is a matter for supervisory discretion.

Time off for other funerals will be considered on an individual basis, with the general rule that personal unpaid leave would be used for this purpose.

H. Retirement Program

To be eligible to participate in the Harding Academy sponsored tax-sheltered annuity plan, an employee must work at least 20 hours per week on a regular basis and contribute a minimum of \$200 per year. Participants in the retirement program shall enter into a Salary Reduction Agreement to reduce their salaries by a minimum of \$200 and up to 20% of the employee's *includible compensation*, subject to maximum contributions established by law, with that amount being placed in a Tax Sheltered Annuity. Harding Academy may match a participant's contribution, up to 5% of the participant's includible compensation. Harding Academy temporarily suspended the match to participant contributions as of July 1, 2009.

Participants are always 100% vested in their contribution into the plan. Vesting of matching contributions made in Plan Years beginning on and after January 1, 2002, will be at the rate of 20% per year for each year of service. After five years of service, participants will have 100% vesting in Harding Academy's matching contribution to the plan.

Income and/or losses accrue on the plan's contributions until the time of withdrawal. Several withdrawal options are available at the termination of employment, at retirement, or in the event of an employee's death.

I. Insurance Programs

1. Group Health Insurance

Full-time employees may choose coverage under Harding Academy's group health plan. Newly hired full-time employees must choose within 30 days of hire if they wish to participate in the group health insurance program. All other full-time employees must decide on their participation during the general enrollment period in the month of May. Harding Academy pays approximately one-half of the cost for the health insurance program. School year staff pays the full premium for the summer months.

2. Group Dental Insurance

Full-time employees may choose dental insurance coverage. Newly hired full-time employees must choose within 30 days of hire if they wish to participate in the group dental insurance program. All other full-time employees must decide on their participation during the general enrollment period in the month of May. Harding Academy will pay approximately one-half of the cost for the group dental insurance coverage. School year staff pays the full premium for the summer months.

3. Supplemental Health Insurance

Full-time employees may choose between four supplemental health insurance plans through AFLAC. The choices are: Personal Cancer Protection Plan, Personal Hospital Intensive Care Insurance, Personal Accident Expense Plan, and Personal Short Term Disability Insurance. The employee pays the total premium for supplemental health insurance coverage. The premiums are deducted from the employee's paycheck.

4. Life Insurance

Full-time employees may participate in the group term life insurance program. This coverage provides a death benefit of four times the annual compensation, with a doubled benefit for accidental death. One-half of the death benefit will be paid for the loss of an eye, a hand, or foot; and the full amount of the death benefit will be paid for the loss of any two of these. Harding Academy pays one-half of the premiums. Specific coverage is subject to the terms of the actual policy. School year staff will pay the full premium for the summer months.

5. Long Term Disability

All full-time employees will participate in the group long-term disability insurance program. Harding Academy will pay the entire premium for this program. After a qualifying period of three months, monthly benefits up to 60% of basic monthly compensation are payable during periods of total disability. Bonuses, overtime, and other compensation are not considered as basic monthly compensation. Benefits received under this policy are not subject to federal income tax. Benefits are subject to the terms of the actual policy.

6. Workers' Compensation Insurance

If an employee is injured within the scope of employment at Harding Academy, the related medical, surgical, and hospital expenses will be covered by insurance that is paid for by Harding Academy. If the employee's injury causes loss of work for more than one week, this insurance coverage pays a percentage of the employee's average weekly earnings to the injured employee. Employees who are injured on the job must immediately report their injuries to their immediate supervisor.

J. Cafeteria Plan

Full-time employees may participate in the Section 125 Cafeteria Plan sponsored by Harding Academy. Participation in this plan gives employees the opportunity to convert a portion of their taxable compensation to non-taxable benefits. Employee participants in the Cafeteria Plan benefit with a reduction of their income tax as well as reducing their required Social Security and Medicare contributions. The following benefits are offered under this plan: (i) Insurance Premium Payment Plan, (ii) Health Care Reimbursement Plan, and (iii) Dependent Care Assistance Plan. Eligible employees should use care in selecting these benefits because of the "use it or lose it" criteria imposed by law.

1. Insurance Premium Payment Plan

Employees that are covered by a Harding Academy group health and/or dental program may redirect a portion of their taxable compensation to pay their portion of the premiums for such coverage on a pre-tax basis.

2. Health Care Reimbursement Plan

Full-time employees who are eligible may establish a medical reimbursement account each year by redirecting a portion of their taxable compensation to fund an account to reimburse them for out of pocket medical and dental expenses. The maximum amount an employee can redirect into such account is \$3,000 per year, as of July 1, 2009.

3. Dependent Care Assistance Plan

Full-time employees may establish a dependent assistance care account each year by redirecting a portion of their taxable compensation to fund an account to reimburse them for qualifying "dependent care expenses" as described by the Internal Revenue Code, §129. Reimbursements from this account may not exceed the least of: (a) \$5,000 (if you are married filing joint returns or filing as head of a household) or \$2,500 (if you are married filing separate returns); (b) your taxable compensation; or (c) your spouse's actual or deemed earned income.

K. School Lunch

Employees may purchase meal tickets for one-half the regular cost of a high school meal ticket. The value of the meal ticket is not cumulative from one day to another or transferable to another person. Employees may purchase lunch each day for approximately one-half the regular cost at the lunch hour only. A maximum amount, equal to the maximum value available to students, may be purchased at a discount each day. The discount may not apply to some items.

L. Auto Use Reimbursement

Harding Academy will reimburse employees for school business use of a personal vehicle. The reimbursement rate will be the Internal Revenue Service Business Standard Mileage Rate at the time of use. The IRS mileage allowance covers all operating costs of the vehicle (including gas, insurance, repairs, and maintenance). Reimbursement is based on actual miles driven for school purposes. A detailed contemporaneous record must be maintained and submitted to the Business Office for processing. The record must include date of travel, starting location, destination, business purpose of trip, and miles driven. Employees will also be reimbursed for tolls and parking when incurred during school business travel.

Employees will not be reimbursed for travel between home and work (commuting miles), or for traffic or parking tickets received while traveling on school business.

M. Athletic Events & School Plays

Full-time employees, their spouses, and dependent children will have free admission to non-tournament home athletic events. Also, full-time employees will receive two complimentary tickets for each play.

N. Yearbook

Full-time employees receive a discount equal to one-half the purchase price of one yearbook. This discount will be applied to the purchase of a yearbook for an employee's oldest child if the employee has children enrolled in Harding Academy.

V. PERSONNEL POLICIES

A. Application/Employment Process

Each applicant is required to complete an employment application. If an applicant is hired, the application becomes a permanent part of the employee's file.

All information provided on the application form is subject to review and verification prior to or after hire. Harding Academy may dismiss an employee who provides false information on the application.

B. Criminal History Record

In accordance with Tennessee law, Harding Academy will require criminal history record checks. The information required may include arrests, convictions, probation, and deferred adjudication. All such records shall be treated as confidential information. An applicant that provides any inaccurate information will not be considered further for the position. If Harding Academy learns that any information about a criminal history provided by an employee is inaccurate, that employee is subject to discipline, up to and including discharge.

C. Enrollment of Children

As one of the terms of employment, teachers and administrators are required to have their school age children enrolled in Harding Academy. Any exception to this policy requires the approval of the President.

D. Job Descriptions

Harding Academy maintains a job description for each position. When an employee's duties and responsibilities have changed substantially, the employee's job description will be updated. All employees should have a copy of the job description for their specific position.

E. Employee Records

Federal and state law requires that Harding Academy maintain accurate employee records. To keep personnel records accurate, employees must notify the Business Office of any change in the following information:

1. Name
2. Home address and/or telephone number
3. Marital status and number of dependents
4. Emergency contact. This information should include:
 - a. Name of contact
 - b. Home and work telephone numbers of contact
 - c. Address of contact

All personnel records are considered confidential. Personnel records are located in the Business Office and the office of the employee's department director. Employees may examine their personnel files with a representative from Harding Academy at a mutually convenient time.

F. Performance Reviews

At least once a year Harding Academy employees will receive a performance evaluation from their immediate supervisor. After the supervisor completes the evaluation, it will be reviewed with and signed by the employee. The original evaluation will be kept in Harding Academy's personnel files. Employees are entitled to receive a copy of any performance evaluation that they have signed. Employees may receive more than one performance evaluation per year.

G. Attendance

Every job at Harding Academy is important to the effective and efficient operation of the school. The Academy depends on all of its employees to arrive on time for every workday. Repeated tardiness and absenteeism are cause for disciplinary actions.

Employees who have not received prior written permission to be tardy to or absent from work must notify their immediate supervisor as early as possible. Employees who must leave work for illness or an emergency must also notify their immediate supervisor. Voice mail messages are not sufficient notice for an employee's tardiness or absence. If the immediate supervisor is unavailable, the employee must call the supervisor's supervisor.

Employees who fail to report for work at their starting time for two consecutive work days without giving prior notice to Harding Academy will be considered to have voluntarily resigned from Harding Academy unless a reasonable explanation is offered at the earliest possible time and is accepted by Harding Academy.

H. ID Badges

All faculty and staff employed by Harding Academy will wear ID badges during normal school hours while on a Harding Academy campus. Development will be the coordinating office for issuing badges. The following guidelines will be followed with the wearing of employee ID badges:

- a. Badges remain the property of Harding Academy of Memphis, Inc.
- b. Badges should be worn at all times during the regular school day.
- c. Badges should be worn above the waist and clearly visible.
- d. Vendor badges will be issued to contract staff. (Example: Kitchen staff and cleaning staff)

- e. Guest badges should be checked out at the principal's office at each location by all visitors during the regular school day. Badges will not be checked out for special events that draw a large number of visitors during the regular school day. (Example: Senior walk-in.)
- f. Wearing of ID badges during extracurricular school activities is not required, but is encouraged. (Example: band concerts, athletic practices/games, or graduation.)
- g. Badges can be used for admission to athletic events on our campus.
- h. Badges must be surrendered to your supervisor upon demand or at termination of employment.
- i. Replacement cost to employees for lost or stolen badges is \$10.

During the regular school day, if you see any person without a badge, please escort that person to the appropriate office.

I. Keys

Any keys required for an employee to carry out his or her duties will be issued by facilities upon the submission of a *Key Request Form* by the applicable directorate. The following guidelines are applicable to an employee's use of keys.

- a. Keys issued to an employee remain the property of Harding Academy.
- b. Keys shall be returned to the employee's directorate upon
 - i. Transfer to another directorate
 - ii. Termination of employment
 - iii. Request of a directorate
- c. Keys shall not be duplicated.
- d. Keys shall be inventoried by the applicable directorate at the end of each academic year.
- e. Keys shall not be transferred to other employees without the consent of the applicable directorate and coordination with facilities.
- f. Report the loss, theft, or recovery of any Harding Academy keys to the applicable Directorate, with a copy to Facilities.
- g. Keys that are lost or stolen will be replaced at a cost of \$5.00 per key.

J. Inclement Weather

In the event of adverse weather conditions prior to the beginning of the school day, Harding Academy will follow the decision made by Shelby County Schools. Harding Academy will not issue media announcements before school. If adverse weather conditions arise during the course of a school day, Harding Academy will make an independent decision and communicate any decision to close school on its website, by email, by telephone, and through the media.

If any offices or sections are open, employees will be expected to report to work. However, each employee must observe weather conditions in his or her area and determine whether it is unduly hazardous to attempt to drive to work when weather conditions are severe. Harding Academy does not expect anyone to take an unreasonable risk attempting to drive to work.

The following guidelines have been established for non-exempt employees reporting to work when there is a delay arriving at their respective work centers due to bad weather conditions:

- Employees reporting before 10:00 a.m. will receive a full day's pay.
- Employees reporting after 10:00 a.m. will be paid for hours worked.
- Employees who do not report to work will not be paid for the day. (Supervisors may approve utilizing vacation or personal day for such absences.)

K. Non-Smoking Policy

Abstinence from the use of tobacco is a condition of employment for all administrators, teachers, office personnel, and aides.

Tennessee Code Annotated §39-17-1601 (et. Seq.) prohibits smoking on school grounds during the school day and in all facilities where children's services are provided. All persons are prohibited from smoking in all public areas, classrooms, conference rooms, offices, restrooms, gymnasiums, bleachers used for sporting events, locker rooms, hallways, stairwells, auditoriums, cafeterias, and libraries.

L. Drug and Alcohol Abuse

Selling, purchasing, using, possessing, or being under the influence of any illegal drug, alcohol, or controlled substance while employed with Harding Academy is strictly prohibited. These activities constitute serious violations of school rules, and employees in violation of the policy are subject to appropriate disciplinary action, up to and including dismissal. Additionally, Harding reserves the right to require an employee to undergo a medical or psychological evaluation under appropriate circumstances.

M. Harassment

Harding Academy's position is that all of its employees are entitled to a work environment free from all forms of discrimination and conduct which can be considered harassment or coercion of any kind. Harding Academy expects that all of its employees will treat each other, as well as its parents and students, with courtesy, dignity, and respect.

Harding Academy does not tolerate violations of federal and state laws that prohibit sexual or other forms of harassment in the workplace. Harassment is a form of misconduct that constitutes a serious offense. It will subject offenders to disciplinary action up to and including discharge. Sexual Harassment is defined as unwelcome sexual advances; requests for sexual favors or physical contact of a sexual nature; or permitting a hostile, abusive, or offensive work environment due to sexually suggestive conduct. Other forms of harassment include racial, ethnic, or age harassment. Typically, such harassment involves any disparaging conduct or communication that unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Supervisors are responsible for assuring that no employee is subjected to conduct that constitutes sexual or any other form of harassment. Employees who observe potentially harassing conduct, even if the conduct is not directed at them, must report such conduct to the appropriate management level.

If an employee believes he or she has been a target of sexual or any other form of harassment, the employee should immediately report such conduct to his or her immediate supervisor, any administrator, Harding Academy's President, or to any Board member. All harassment claims may be reported orally, but a written, signed complaint should be submitted to your immediate supervisor, any administrator, Harding Academy's President, or any Board member as soon as possible. The written complaint should contain the following information:

- a. Identification of the alleged victim and the person accused of the harassment;
- b. Location, date, time, and circumstances surrounding the alleged incident;
- c. Description of what is alleged to have happened;
- d. Identification of witnesses; and
- e. Any other facts or information pertinent to the allegation.

After a complaint has been filed, a prompt and thorough investigation will be conducted, and appropriate corrective action will be taken if warranted. All parties involved in the alleged offensive conduct will be interviewed. Based upon the investigation, appropriate action will be taken to remedy the situation. To the extent consistent with adequate investigation and appropriate corrective action, any complaints of harassment will be treated as confidential.

A school representative will meet with the complainant to inform him or her of the findings, corrective measures, and disciplinary actions taken. If the complainant is not in agreement with the findings of fact from the investigative report, the complainant may, within five (5) work days, request that Harding Academy's President review the investigation of the alleged complaint.

Harding Academy will not in any way retaliate against an employee, potential employee, or former employee who, in good faith, makes a complaint or report of harassment, or participates in the investigation of such a complaint or report. Retaliation against any individual who, in good faith, reports a claim of harassment or cooperates in the investigation of such claim will not be tolerated and will itself be subject to appropriate discipline.

N. Responsible Use of Technology

It is impossible for any written policy to address specifically every conceivable behavior. The Harding Academy Technology Responsible Use Policy is based upon the following principles. Examples are provided, but the specific applications go beyond the examples and are the responsibility of every user.

1. General Principle

All technology provided by Harding Academy is to be used in a manner consistent with the Christ-centered mission and established policies of Harding Academy. The use of technology is no different from any other behavior. Behaviors that would be wrong in other contexts are also wrong when technology is involved.

2. Additional Moral Principles

a. Do unto others as you would have them do unto you. Hateful speech, lying, gossip, bullying, humiliation, vandalism, and other behaviors that would be wrong without technology are equally wrong when using technology. This would also apply to hacking, planting viruses, and other actions intended to create problems for other people.

b. Do not take what is not yours. Obviously, this includes the theft of hardware, such as computers, PDAs, and cameras. But in the digital world, stealing includes the copying of intellectual property without license from the owner. This includes plagiarism (uncited use of an author's words or the ideas those words suggest), as well as pirated software, music, pictures, and movies.

c. Confess your mistakes. If you do something that you should not have done with technology, don't try to hide it. Inform the Technology Department. If you unintentionally do something that violates or appears to violate any of these principles, tell your supervisor.

d. Keep secret things secret. Your passcodes give whoever has them access to your data. Never share your passcodes. If someone online or on the phone asks for your passcode, never provide that information.

4. Additional Details

a. Your online activity is not private. All technology owned by and used at Harding Academy is subject to monitoring by the administration. This may be done without your knowledge. No one using Harding technology should have any expectation of privacy.

b. Personal use of Harding Academy owned technology should be kept to a minimum and should never be given priority over or interfere with the performance of your employment duties.

c. Use of Harding Academy owned technology and electronic communication equipment and services during off-duty hours is subject to the same guidelines and restrictions as usage during work hours.

d. Prohibited use of Harding Academy owned technology and electronic communication equipment and services include, but are not limited to: i) any illegal activity, ii) violations of workplace violence, harassment, or discrimination policies, and iii) disclosure of confidential information, and iv) any social networking or blogging that may negatively affect Harding Academy.

f. Violations of Harding Academy's Responsible Use of Technology Policy may lead to disciplinary action, up to and including termination of employment.

O. Cellular Telephones

Cellular telephones are provided to employees who need them to perform their jobs. Use of Harding Academy-owned cellular telephones and/or pagers and beepers are subject to the following policies:

- Use of cellular telephones is for school purposes only.
- Use cellular telephones in a safe manner (e.g., calls should not be made by the person driving a motor vehicle).
- Use of these devices to call 900 numbers is prohibited.
- Use of these devices to make harassing calls or pages is prohibited.
- Employees must return cellular telephones upon termination of employment.
- Violations of the cellular telephone policy are subject to discipline, including discharge.

As a general rule, employee-owned cell phones should be turned off during normal working hours while on campus. Employees are permitted to have cell phones on campus to facilitate the reporting of emergency situations. Please note, however, that personal calls on cell phones may be made only during breaks and lunch periods and in a manner that will not disturb the instructional environment, the professional office environment, or other employees.

P. Jury Duty

Employees who are summoned to jury duty must notify their immediate supervisor as soon as they receive the summons and provide a copy of the summons so that appropriate arrangements can be made to cover the employee's absence. Employees will receive their normal compensation while performing jury duty. Upon completion of jury duty, the employee must submit to his immediate supervisor the letter from the jury commissioner that documents the dates of jury service.

A faculty member who is called to serve on a jury during the school year, and elects to reschedule that duty to a time that would not interfere with their classroom duties will be paid the amount that would have been paid for a substitute or replacement.

Q. Military Leave

Harding Academy will grant leave to its employees for uniformed service in accordance with applicable law. An employee who needs time off for uniformed service is required to notify his or her supervisor as soon as possible. If an employee is unable to provide notice prior to leaving for uniformed service, then a family member should notify his or her supervisor as soon as practical. Any such employee will receive his or her normal compensation for a maximum of 10 working days per year for uniformed service leave. This policy is implemented to be in compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) enacted in 1984 and is applicable to all employees except casual employees.

R. Unpaid Leaves of Absence

1. Family and Medical Leave (FMLA)

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or child birth
- To care for the employee's child after birth, or placement for adoption or foster care
- To care for the employee's spouse, son, or daughter, or parent, who has a serious health condition
- For a serious health condition that makes the employee unable to perform the employee's job

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, on active duty, who has a serious injury or illness incurred in the

line of duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, Harding Academy must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of the employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for Harding Academy for at least one year, for 1,250 hours over the previous 12 months.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing his or her job functions, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by:

- A period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider
- One visit and regiment of continuing treatment
- Incapacity due to pregnancy, or incapacity due to a chronic condition

Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not have to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable effort to schedule leave for planned medical treatment so as not to unduly disrupt the school's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees must use accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with Harding Academy's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with Harding Academy's call-in procedures.

Employees must provide sufficient information for Harding Academy to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include the employee's inability to perform his or her job functions, the family member's inability to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Harding Academy Responsibilities

Harding Academy will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employee's rights and responsibilities. If employees are not eligible for FMLA, Harding Academy will provide a reason for such ineligibility.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under a relating to FMLA

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

For additional information: 1-866-4US-WAGE (1-866-487-9243), TTY: 1-877-889-5627 or www.wagehour.dol.gov

FMLA section 109 (29 U.S.C. §2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. §825.300(a) may require additional disclosures.

2. Maternity Leave (Tennessee)

Female employees who have worked for Harding Academy for at least 12 consecutive months as a full-time employee and who are temporarily unable to work due to a pregnancy-related medical condition, may be granted a leave of absence for the duration of this medical condition. Maternity leave in Tennessee is available for up to four months for each pregnancy. In accordance with federal law, maternity leave runs concurrently with family and medical leave. Employees using maternity leave will be required to use accrued, unused vacation, and any applicable sick leave as part of the maternity leave.

To request maternity leave, an employee should provide Harding Academy at least three months advance notice of her anticipated date of departure for such leave. The request should be supported with an attending physician's letter. If the employee is prevented from giving three months advance notice because of a medical emergency which necessitates commencement of the maternity leave earlier than expected, the notice should be submitted to Harding Academy as soon as the employee is aware of the necessity for the leave. The notice must contain the date the leave will begin, the estimated return to work date, and the employee's intention to return to work after the maternity leave.

3. General Provisions and Requirements for unpaid leaves of absence

- a. Harding Academy will continue to pay its portion of health, life, and dental insurance premiums for up to 12 weeks (four months for maternity) for employees who are taking an unpaid leave of absence. This provision is applicable only if a Harding Academy health or dental insurance plan is in effect at the time the leave of absence occurs. If the employee does not return to work at Harding Academy following the leave of absence, the employee may be required to reimburse Harding Academy for the cost of medical and dental benefits that were paid by Harding Academy during the leave of absence.
- b. Harding Academy employees who are taking either a personal medical or maternity leave of absence must obtain a physician's release prior to returning to work at Harding Academy. Harding Academy reserves the right to have any employee examined at Harding Academy's expense by a physician of its choice to verify the employee's fitness for work, the existence of a disability, or for any other reason Harding Academy deems necessary.
- c. The employee must conclude leave for the birth or placement of a child for adoption or foster care within 12 months after the event. Leave may begin prior to birth or placement, as circumstances dictate.
- d. To qualify for personal medical leave, the health condition or treatment(s) must be such that it requires the employee to be absent from work on a recurring basis or for more than a few days for treatment or recovery.

- e. Where both spouses are employed at Harding Academy and leave is taken for the adoption of a healthy child or to care for a sick parent, the maximum combined leave for both spouses is 12 weeks. If leave is taken to care for an ill child or spouse, each spouse is entitled to a total of 12 weeks of leave.
- f. If a faculty member's leave is for his own serious health condition or for that of a family member, and the intermittent leave requires the faculty member to be out of the classroom for more than 20% of the time, the faculty member may be required to do the following:
 - 1. Take a "complete" leave for the necessary period of time, or
 - 2. Transfer to a similar position that better accommodates the intermittent or reduced leave.

If a faculty member's return from leave would occur within the last few weeks of an academic term (semester), Harding Academy may require the faculty member to continue the leave through the end of such term.

- g. If an employee requests intermittent or reduced leave status, Harding Academy may temporarily transfer him to another position of equivalent pay and benefits in order to accommodate the employee's leave.
- h. Where required by law, Harding Academy will place an employee returning from an unpaid leave of absence in his former position or one that is comparable by having identical salary and benefits. A leave of absence does not in every situation guarantee an employee his prior position, a comparable position, or any position will be available at the conclusion of his leave of absence.
- i. Employees on a leave of absence do not accrue holiday, seniority, or vacation benefits during leave. However, upon returning to Harding Academy, employees retain any unused benefits that accrued prior to their leave. Employees cannot be employed outside Harding Academy or apply for unemployment benefits while on leave from Harding Academy.
- j. In emergency situations, the writing requirement for request and approval of a leave of absence may be temporarily overridden. Oral requests must be addressed and approved by the appropriate director. If oral approval is given, a written request must be submitted to the Business Office within five working days.
- k. Employees who commit either of the following will be deemed to have abandoned their jobs at Harding Academy:
 - 1. Starting a leave of absence without following the proper approval procedures.
 - 2. Failing to return from a leave of absence on the stated return date.

S. Use of School Credit Cards

School employees from time to time may be issued a Harding Academy business credit card. Use of school credit cards is limited to Harding Academy business. Receipts must be submitted to the Business Office within seven days from the date of use. Employees must immediately report a lost or stolen credit card to the credit card issuer and the school Business Office. Misuse of a school credit card can result in adverse disciplinary action.

T. Ethical Practices

All Harding Academy employees are expected to adhere to the highest ethical standards of professionalism and integrity when carrying out their duties for the school. Harding Academy employees must comply with all applicable laws and avoid conflicts of interest. Employees that suspect a violation of these ethical standards or become aware of any financial concern relating to false reporting or fraud have a duty to report such suspected ethical violations to their immediate supervisor, any administrator, Harding Academy's President, or any Board member. All such reports are considered serious and appropriate investigation and corrective action, if warranted, will follow. Retaliation towards persons making such reports is prohibited. Violations of ethical standards can result in adverse disciplinary action, up to and including termination.

U. Retention of Records

All school and financial records will be maintained to support the operations of Harding Academy. All employees are expected to follow Harding Academy's record retention policy.

V. Use of Certificate of Exemption

The Tennessee Certificate of Exemption for sales tax may be used to purchase, free of sales tax, goods and services that Harding Academy will use, consume, or give away. Use of the Certificate of Exemption requires that purchases be paid for by school funds (school check or school credit card). Employees must use the Certificate of Exemption on all purchases that do not require sales tax.

The Certificate of Exemption may not be used for items Harding Academy purchases for resale. Resale items include anything purchased by the school and subsequently resold to students, parents, teachers, or the public. Sales tax should be paid to the supplier on the purchase price on all goods and services purchased for resale. This restriction does not apply to school books, school lunches, and tickets to school plays and athletic events.

It is Harding Academy's policy to pay all state sales and use tax when required and to use the school's Tennessee Certificate of Exemption for all purchases exempt from Tennessee sales and use tax.