



# ROCKY VISTA UNIVERSITY

## EMPLOYEE HANDBOOK

COLORADO SUPPLEMENT

JULY 2024

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# Important Notice

## About This Colorado Supplement

Rocky Vista University ("UNIVERSITY" OR "RVU") is committed to workplace policies and practices that comply with federal, state, and local laws. For this reason, Colorado employees will receive the University's national handbook ("National Handbook") and the Colorado Supplement to the National Handbook ("Colorado Supplement") (together, the "Employee Handbook").

The Colorado Supplement, however, applies only to Colorado employees. It is intended as a resource containing specific provisions derived under Colorado law that apply to the employee's employment. It should be read together with the National Handbook and, to the extent that the policies in the Colorado Supplement are different from, or more generous than those in the National Handbook, the policies in the Colorado Supplement will apply.

The Colorado Supplement is not intended to create a contract of continued employment or alter the at-will employment relationship. Only the President of the University or their authorized representative has the authority to enter into an agreement that alters the at-will employment relationship, and any such agreement must be in writing and signed by the President of the University or their authorized representative.

If employees have any questions about these policies, they should contact their immediate supervisor or the Human Resources Department.

## Employment

### Equal Employment Opportunity/Unlawful Harassment

As set forth in the National Handbook, RVU is dedicated to the principles of equal employment opportunity. RVU prohibits unlawful discrimination against applicants or employees on the basis of age 40 and over, race (including traits historically associated with race, such as hair texture and length, protective hairstyles), sex, sexual orientation, gender identity, gender expression, color, religion, creed, national origin, ancestry, disability, military status, genetic information, marital status, or any other status protected by applicable federal, state or local law.

### EEO Harassment

The University strives to maintain a work environment free of unlawful harassment. Unlawful harassment includes any unwelcome physical or verbal conduct or any written, pictorial, or visual communication directed at an individual (or group) because of that individual's (or group's) membership in, or perceived membership in, a protected class, that is subjectively offensive to the individual alleging harassment, and is objectively offensive to a reasonable individual who is a member of the same protected class. Harassment does not need to be in-person and can occur over electronic media such as Zoom or other electronic platforms. Prohibited behavior may include but is not limited to the following:

- Written form, such as cartoons, emails, posters, drawings, or photographs.
- Verbal conduct, such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault or blocking an individual's movements.

This policy applies to all employees, including managers, supervisors, coworkers, and non-employees, such as customers, clients, vendors, consultants, etc.

### ADA and Religious Accommodation

The University will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship to the University or cause a direct threat to health or safety. The University will make reasonable accommodations for employees whose work requirements interfere with a religious belief unless doing so poses an undue hardship on the University.

## Lactation Accommodation

The University will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's child. The University will provide this break time for up to two years following the birth of a child.

Nursing mothers can elect to take time to express breast milk during their regularly scheduled meal and rest breaks. If the break time cannot run concurrently with the meal and/or rest breaks already provided to the employee, additional break time will be unpaid for non-exempt employees. Where additional breaks are required, employees should work with their supervisor regarding scheduling.

The University will make reasonable efforts to provide employees with the use of a private location, other than a bathroom or toilet stall, in close proximity to the employee's work area for the employee to express milk.

Employees should provide reasonable notice to the University that they intend to take breaks for expressing breast milk upon returning to work. Employees should discuss with their supervisor, or a Human Resources representative the location to express their breast milk and for storage of expressed milk and to make any other arrangements under this policy.

The University reserves the right to not provide additional break time or a private location for expressing breast milk if doing so would substantially disrupt the University's operations.

The University will not demote, terminate, or otherwise take adverse action against an employee who requests or makes use of the accommodations and break time described in this policy.

## Access to Personnel Files

The University keeps a personnel file as a record of employee's employment. It is important for this record to be up-to-date and complete. This enables RVU to reach employees in an emergency, forward mail, and properly maintain the employee's insurance and other benefits. It also helps keep track of payroll deductions and many other things that concern employees.

Notify the Human Resources Department immediately with changes in any of the following areas: name, residence, telephone, marital status, insurance changes, tax exemptions, person to notify in case of an emergency, and other relevant information. Employees must update these changes in RVU's payroll & timekeeping system (currently iSolved).

Additionally, employees notify the Human Resources Department if they complete educational or training courses. This information may be considered with other employment records as job opportunities arise in the University.

Employees who wish to look at their personnel file or discuss it with someone should contact the Human Resources Department. The review will take place in the presence of an HR representative at a time arranged between the employee and the University. Employees are permitted to obtain a copy of their personnel files but may be required to pay the reasonable cost of the duplication of the documents.

# Compensation and Benefits

## Overtime

From time to time, supervisors may require employees to work overtime. In these instances, employees are given as much advance notice as practical.

For non-exempt employees, hours worked in excess of 12 hours in a day, 12 consecutive hours without regard to the starting and ending time of the workday, or 40 hours per workweek, whichever results in the greater payment of wages, are paid at one and one-half (1 1/2) times the employee's regular rate. When a non-exempt employee has daily overtime and weekly overtime hours, the payment of daily overtime counts toward the payment of the weekly overtime. For purposes of calculating overtime, the established workday begins at 12:00a.m. midnight until 11:59 p.m. the following day and the established workweek begins at 12:00 a.m. midnight on Sunday and ends at 11:59 p.m. on the following Saturday.

For purposes of calculating overtime payments, only hours actually worked are counted. Consequently, hours paid but not worked, e.g., vacation, are not counted.

## Meal and Break Periods

Non-exempt employees who work five or more consecutive hours will be provided at least one unpaid 30-minute meal break. During the break, employees will be relieved of all duties and permitted to pursue personal activities. If the nature of the business activity or other circumstances exist that makes an uninterrupted meal break impracticable, the employee will be allowed to consume an on-duty meal without any loss of time or compensation.

Employees should take a compensated ten-minute rest period for every four hours of work. The chart below indicates what rest periods are required. Rest periods should be as close to the middle of an employee's shift as practical.

Work Hours	Rest Periods Required
2 or fewer	0
Over 2, and up to 6	1
Over 6, and up to 10	2
Over 10, and up to 14	3
Over 14, and up to 18	4
Over 18, and up to 22	5
Over 22	6

There is some flexibility in the length and timing of rest breaks. Employees are permitted to take two five-minute breaks in certain circumstances with a written waiver. Failure to authorize and permit rest breaks as required by Colorado law will be treated as if an employee were required to work an extra ten minutes without pay.

Employees must comply with all applicable timekeeping requirements, including recording the beginning and end time of their meal breaks. Employees who are unable to take a meal or rest break to which they are entitled in accordance with this policy, or who have been prevented or discouraged from taking a break to which they are entitled under this policy, should immediately notify Human Resources.

## Discussion of Wages

No employee is prohibited from inquiring about, disclosing, comparing, or otherwise discussing their wages. The University will not terminate, discipline, coerce, or otherwise discriminate against employees because they make such inquiries, disclosures, comparisons or otherwise engage in such discussions of their wages.

## Colorado Secure Savings

The University has a certified exemption from the Colorado Secure Savings Program. It does not participate in the Colorado Secure Savings Program since the University currently offers an employer-sponsored retirement plan, the Rocky Vista University, LLC 401(k) Retirement Plan, to eligible employees. Please see Human Resources to obtain information on the plan, including the terms, conditions, or eligibility requirements, or to obtain a copy of the Summary Plan Document. Employees who are not eligible for the Rocky Vista University, LLC 401(k) Retirement Plan can independently enroll in Colorado Secure Savings as a voluntary participant. Please see the Colorado Secure Savings Program website: [coloradosecuresavings.com](http://coloradosecuresavings.com).

# **Time Off and Leaves of Absence**

## Paid Sick and Exigency Leave

RVU provides paid sick leave to all eligible employees for periods of temporary absence as explained below.

### **1. Accrual**

- Full-time employees accrue sick leave at 3.69 hours per pay period up to a maximum of 480 hours.
- Part-time employees who work twenty (20) hours or more per week accrue 1.84 hours per pay period up to a maximum of 240 hours.

- Part-time employees who work less than twenty (20) hours per week accrue 1 hour for every 30 hours worked up to a maximum of 48 hours.

## 2. Using Sick Leave

Paid sick leave may be used if an employee:

- has a mental or physical illness, injury, or health condition that prevents them from working.
- needs to get preventive medical care or to get a medical diagnosis, care, or treatment of any mental or physical illness, injury, or health condition.
- needs to care for a family member who has a mental or physical illness, injury, or health condition or who needs to get preventive medical care or to get a medical diagnosis, care, or treatment of any mental or physical illness, injury, or health condition.
- the employee or the employee's family member having been a victim of domestic abuse, sexual assault, or criminal harassment and needing leave for related medical attention, mental health care, or other counseling, victim services (including legal services), or relocation.
- due to a public health emergency, a public official having closed either (A) the employee's place of business, or (B) the school or place of care of the employee's child, requiring the employee needing to be absent from work to care for the child.
- needs to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the closure of the family member's school or place of care.
- needs to grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member; or
- needs to evacuate the employee's place of residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the need to evacuate the employee's residence.

Employees begin accruing sick time upon hire and may begin using their sick leave as it is accrued.

It is the employee's responsibility to notify their supervisor each day at the beginning of their shift when they cannot come to work because of an illness, injury, medical care, domestic violence, care for family whose school has been closed, evacuation of residence, or bereavement. Also, employees must inform their supervisor when they expect to return to work. In the event an employee is absent for four or more workdays, medical or legal certification is required.

If employees have an extended illness, accumulated sick time currently provides pay while they are away from work. Unused sick hours are carried over from year to year up to the maximum allowed. Employees will not accrue additional sick time until their balance falls below the maximum accrual.

## 3. Sick Pay

Because paid sick time is accumulated to be used if employees are personally sick or injured; they will not receive extra pay or extra time off for unused sick time. Paid sick time will not be used in the calculation of overtime. Should an employee's hours change from full-time to part-time, their maximum accrual will also be modified according to the number of hours they are expected to work. Unused sick leave benefits will not be paid to employees if their work hours are reduced while they are employed, or upon the termination of employment.

Employers shall not retaliate against an employee for requesting or using paid sick leave.

Additional rules will apply in the case of a public health emergency.

## Jury Duty Leave

The University encourages all employees to fulfill their civic responsibilities and to respond to jury service summons or subpoenas, attend court for prospective jury service, or serve as a juror. Under no circumstances will employees be deprived of any benefits of employment, terminated, threatened, harassed, or coerced because they request or take leave in accordance with this policy.

Employees will receive their regular compensation for the first three days of jury duty if they were scheduled to work and they provide confirmation of juror service. Beginning the fourth day and thereafter, employees, as jurors, are paid \$50.00 per day by the State of Colorado for state district or county court jury duty. For jury duty in excess of three days, employees receive the difference between jury duty pay and their regular pay up to a maximum of ten days (80 hours). This includes part-time, casual, and temporary employees, so long as their employment hours can

be determined by a schedule, custom, or practice established during the three-month period preceding jury service. Any additional time off under this policy will be without pay, except that exempt employees will not incur any reduction in pay for a partial week's absence due to jury duty.

Employees seeking compensation for jury duty leave must provide a juror service certificate from the court as soon as practical. The University will compensate the employee in accordance with this policy within 30 days of receiving the service certificate.

Employees should provide their supervisor with notice of any jury summons or subpoena within a reasonable amount of time after receipt and before their appearance is required.

## Domestic Abuse Leave

Employees subject to domestic abuse may be eligible for a leave of absence. Please see the Human Resources Department for more information.

## Crime Victim Leave

Employees may take time off from work for the purpose of responding to a subpoena to testify in a criminal proceeding or to participate in the preparation of a criminal proceeding, if:

- The employee is a victim of the crime at issue in the proceeding.
- The employee is the crime victim's spouse, child by birth or adoption, stepchild, parent, stepparent, sibling, legal guardian, or significant other (i.e., someone in a family-type living arrangement who would constitute the spouse or partner of the victim if they were married); or
- The victim is deceased or incapacitated, and the employee is the victim's spouse, partner, parent, child, sibling, grandparent, significant other, or other lawful representative.

Employees who are in custody for a crime, accused of a crime, or otherwise accountable for a crime, are not eligible for time off under this policy.

Leave under this policy will be unpaid except that exempt employees will not incur any reduction in pay for a partial week absence due to witness duty.

## FAMLI Participation

FAMLI benefits provide partial income protection for eligible employees who are temporarily unable to work due to their own or a family member's qualifying medical or legal reason, specifically, for the care of a newborn, adopted child, or fostered child; to care for a family member with a serious health condition; for the employee's own serious health condition; for qualifying military exigency leave; or to address safety needs or the impact of domestic violence and/or sexual assault. FAMLI provides up to 12 weeks of partially paid leave or up to 16 weeks under certain circumstances related to pregnancy and childbirth.

Contributions to the FAMLI fund are a shared responsibility between the employer and the employee. Therefore, as a participating employer, the University remits the full 0.9% of employee's wages to the FAMLI fund in accordance with the law and regulations, half of which is a payroll deduction of 0.45% from employees earned wages deducted from each paycheck, with the University contributing the other half (0.45% of wages) on employees' behalf. For more information about this important state-facilitated program, including eligibility, required documentation, and process, please see [famli.colorado.gov](http://famli.colorado.gov).

University policy permits employees to "substitute" (run concurrently) an employee's accrued paid leave (e.g., sick or vacation) while on paid FAMLI leave if the employee elects to do so to reach 100% of their wages. For more information about this aspect of FAMLI leave, please contact Payroll.

Where applicable, FAMLI benefits will run concurrently with FMLA.

## Family Care Act Leave

Employees who are eligible for leave under the federal Family and Medical Leave Act (FMLA) and who are in registered domestic partnerships or civil unions may take leave in accordance with the FMLA to care for their domestic or civil union partners with a serious health condition. A serious health condition has the same meaning as reflected in the University's National Family and Medical Leave policy.

Employees seeking leave under this policy must comply with the eligibility, notice, certification, and other requirements set forth in the Family and Medical Leave policy contained in the National Handbook and will be required to provide reasonable documentation of a family relationship.

Where applicable, Family Care Act leave and FMLA leave will run concurrently.

For further information or to request leave under this policy, contact Human Resources.

## Work Environment

### Workers' Compensation

If employees are injured on the job, no matter how minor, they must notify Human Resources as soon as they are able and report in writing within 10 days after the injury. If medical treatment for an on-the-job injury is needed, it must be obtained from one of the University's designated medical providers. If not, the employee may be responsible for the cost of medical treatment.

### Colorado Overtime and Minimum Pay Standards Order (COMPS Order)

ACKNOWLEDGMENT OF RECEIPT

**I HAVE BEEN PROVIDED AND HEREBY ACKNOWLEDGE RECEIPT OF A COPY OF THE COLORADO OVERTIME AND MINIMUM PAY STANDARDS ORDER (COMPS ORDER #38) POSTER.**

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Employee Name: \_\_\_\_\_

## Colorado Overtime & Minimum Pay Standards Order

You can access the Colorado Overtime & Minimum Pay Standards Order ("COMPs Order") #38, Poster and Notice [here](#).