

STERLING & FRANCINE
CLARK ART INSTITUTE

EMPLOYEE HANDBOOK
2020

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I. PURPOSE OF THIS HANDBOOK

Welcome! This Handbook has been prepared to give you a general overview of the benefits and policies of the Sterling and Francine Clark Art Institute (the “Clark”). As soon as possible, please take a moment to review your Handbook. Refer to it whenever you have questions about the Clark’s policies, practices or benefits. The policies are effective immediately, and you are expected to know and comply with them.

This Handbook is a resource to be used as a guidance and informational tool. It is a summary of the Clark’s standard policies, procedures, and benefits and is provided to you as a reference guide. Different departments may have additional policies and practices specific to those positions. Be sure to talk to your supervisor if you have any questions regarding your position or the policies that may apply.

The Clark, in its sole discretion, may modify or discontinue any policy in this Handbook at any time. Nothing in this Handbook is intended to create a contract of employment. Employment with the Clark is on an at-will basis which means that you or the Clark may terminate the employment relationship at any time for any reason not expressly prohibited by law. This Handbook is not a contract or a guarantee of employment.

Please understand that no representative of the Clark other than the Chief Financial Officer has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the foregoing. No representative has the authority to change or amend any policies described in the Handbook without the written approval of the Chief Financial Officer.

This revision of the employee handbook supersedes any/all previous editions of handbooks for the employees of the Clark as well as any unwritten employment policies. Questions concerning the contents of this handbook should be addressed to Human Resources. After reading the contents carefully, please sign the acknowledgement at the end of the Handbook and return it to Human Resources.

This Handbook contains summaries of various benefits. Should the description in this Handbook differ with any formal agreement or related plan document, we will defer to the formal agreement or related plan document.

The following policies are located in the Appendix to this Handbook:

- Appendix A – Freedom from Harassment and Discrimination Policy
- Appendix B – Travel Policy
- Appendix C – Electronic Communications—Appropriate Use Policy
- Appendix D – Social Media Policy
- Appendix E – Family and Medical Leave Policy

II. ABOUT THE CLARK

A. Mission Statement

The Clark is one of only a handful of institutions globally with a dual mission as an art museum and a distinguished center for research and higher education, dedicated to advancing and extending the public understanding of art. No other institution of its scale and character has such a complex and exhilarating mission—complex because interrelating the differing purposes of an art museum and a center for research and higher education is so challenging, and exhilarating because the possibilities and implications of this combination are so dynamic.

The Clark’s mission and its geographical location define three essential aspects of its character and identity: the quality of its art, the beauty of its pastoral setting, and the depth of its commitment to the generation of ideas.

In order to achieve the mission of the organization, all relationships at the Clark, whether they are employee to employee, employee to visitor, employee to vendor, or to the public in general, should be governed by a sense of courtesy, tact, consideration and respect. It is required that employees act competently, communicate pleasantly and respectfully, and follow up on questions promptly, providing businesslike replies to inquiries and requests.

B. Guiding Principles

The Clark is committed:

1. To encouraging excellence and experimentation in its principal activities, effectiveness in the services on which they depend, and success in the utilization and integration of all its resources.
2. To innovation in the preservation, enhancement, presentation and interpretation of its museum and library collections and in the development of connections between them.
3. To promoting an institutional research culture that involves the international community of scholars in activities that advance knowledge and stimulate reflection on the nature of art and of the art museum.
4. To presenting its visitors with an enjoyable experience in a beautiful setting, one that matches the power and personality of its art, the intellectual depth of its library and the humanity and expertise of its staff.
5. To engaging its diverse audiences, and to building new ones, through a dynamic program of exhibitions, lectures, conferences, publications, and other educational activities that relate scholarship to the public understanding of art.
6. To maintaining, developing and intensifying a productive interaction with related institutions.

C. Clark Values

Collaborative - We believe that our work is strengthened by a deep commitment to common goals. We value and respect the talents, experience, and contributions of our colleagues inside and outside the organization, and by collaborating we accomplish a greater outcome.

Innovative and Creative - In a rapidly changing world that requires flexibility and creative problem solving, we promote an environment where responsible risk taking is possible and believe that successes and mistakes provide equal opportunities for learning. We enhance our impact by working in imaginative, open, and resourceful ways.

Learning Centered - By nurturing intellectual curiosity, scholarly engagement, and personal and professional growth, we uphold our identity as an institute committed to the generation of ideas and ongoing learning for staff, scholars, and audiences of all ages and backgrounds.

Outwardly Focused - We forge relationships with visitors, donors, scholars, and museum professionals in our community and around the globe to engage with and implement new ideas and to advance the Clark's institutional goals. We track and influence trends in our respective fields, creating exciting opportunities to enhance our programs and invigorate our many audiences.

Principled - We act in ways that embody respect and integrity in all that we do in order to sustain the trust of our colleagues, patrons, and community.

Quality Driven - A passion for quality drives us to excel. We take up the challenge to fulfill the Clark's mission through a disciplined commitment to continuous improvement. We take pride in the professional quality and impact of our work.

Results Oriented - We advance the Clark by meeting measurable, positive outcomes in a timely manner.

Stewardship Focused - We seek to preserve, promote, share, and make accessible the works of art, intellectual resources, buildings, and land in our care. We are committed to the prudent fiscal management of the charitable resources given to us by the Clark's founders and donors.

III. Equal Opportunity Policy & Policy Against Discrimination and Discriminatory Harassment

A. Equal Opportunity Statement

The Clark provides equal employment opportunity to all employees and applicants for employment. This policy applies throughout the Clark, and all departments and personnel are responsible for its implementation.

Equal opportunity applies to all personnel actions such as recruiting, hiring, compensation, benefits, appointments, promotions, training, transfers, discipline and termination. It is the continuing policy of the Clark to recruit and employ the most qualified individuals without regard to age, ancestry, citizenship status, color, creed, disability, domestic partnership status, domestic violence victim status, familial status, genetic information, gender identity or expression or transgender status, marital status, military status, national or ethnic origin, political belief, pregnancy, race, religion, sex, sexual orientation, or any other characteristic protected by law.

B. Freedom from Harassment and Discrimination Policy

The Clark prohibits sexual harassment and all forms of discriminatory harassment, including harassment based on age, ancestry, citizenship status, color, creed, disability, domestic partnership status, domestic violence victim status, familial status, genetic information, gender identity or expression or transgender status, marital status, military status, national or ethnic origin, political belief, pregnancy, race, religion, sex, sexual orientation, or any other characteristic protected by law.

The Clark's anti-harassment policy extends to all persons involved in the operation of the Clark and prohibits unlawful harassment by any employee of the Clark, including supervisors, as well as vendors, patrons, visitors, independent contractors, and others. It also prohibits discriminatory harassment based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. The Clark's property (including telephones, copy machines, cellphones, electronic communication systems, and computers) may not be used to engage in conduct that violates this policy.

The Clark's full Freedom from Harassment and Discrimination Policy is located in Appendix A. As set forth in the policy, if you have been the subject of discrimination or harassment or witnessed it in the workplace, immediately bring concerns to the attention of Human Resources, or, alternatively, to the Chief Financial Officer or Deputy Director. Employees should choose whichever of these individuals they feel the most comfortable contacting under the circumstances.

C. Disability Accommodation

The Clark does not discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee or applicant can perform the essential functions of the job. Consistent with this policy of non-discrimination, the Clark provides reasonable accommodation to qualified individuals with disabilities, provided that such accommodation does not impose an undue hardship on the Clark. What constitutes a reasonable accommodation depends on the circumstances and thus will be addressed by the Clark on a case-by-case basis.

You should notify Human Resources if you require a disability accommodation. When making your request for an accommodation, you should include relevant information, including without limitation a description of the proposed accommodation, the reason you need it along with any supporting documentation, and how the accommodation will allow you to perform your essential job functions.

After receiving an accommodation request, the Clark will engage in an interactive dialogue, either in writing or orally, with you within a reasonable timeframe to determine your precise limitations and explore potential reasonable accommodations that could overcome those limitations. The Clark encourages you to suggest specific accommodations that you believe would allow you to perform your job. However, the Clark is not required to provide the specific accommodation you request and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Clark. After engaging in this dialogue, the Clark will provide you with a final determination regarding your request for an accommodation. The Clark will not discriminate or retaliate against any employee for requesting an accommodation under this policy.

D. Pregnancy and Breastfeeding Accommodation

The Clark does not discriminate on the basis of pregnancy or pregnancy-related conditions and will provide pregnant women and new mothers with reasonable accommodations for their pregnancies and any conditions related to their pregnancies, provided that such accommodation does not impose an undue hardship on the Clark's operations. Related conditions, for purposes of this policy, include lactation, or the need to express breastmilk.

The Clark will follow the Disability Accommodation policy above in administering accommodations on the basis of pregnancy or pregnancy-related conditions. The Clark may require an employee to provide documentation from an appropriate healthcare or rehabilitation professional with regard to certain requests for accommodation but will not

require documentation for the following accommodations: (1) more frequent restroom, food, or water breaks; (2) seating; and (3) limits on lifting over 20 pounds.

Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and will be treated as such under any health or temporary disability insurance or sick leave plan available in connection with employment.

IV. Work Schedule and Compensation

A. Employee Classification

Each employee is classified as full-time, part-time, project, intern, or seasonal and paid a salary or hourly wage by the Clark. Only employees who work 20 or more hours per week on a regular basis throughout the year are eligible for employee benefits (with the exception of the Clark-sponsored flexible spending accounts (FSA), which is only offered to employees who work 30 or more hours per week). Employees who work 20 or more hours per week on a regular basis throughout the year will be referred to through this handbook as “Benefits-Eligible Employees.”

1. **Full-Time Employee:** A full-time employee occupies a position that is budgeted for twelve (12) or more months. Full-time employees are expected to work at least 40 hours per week. At times, full-time employees may be required to work additional hours to ensure the timely completion of their work.
2. **Part-Time Employee (Two Categories):** A part-time employee occupies a position that is budgeted for twelve (12) or more months and falls into one of two categories:
 - (a) those who work fewer than 20 hours per week on a regular basis and therefore are not typically eligible for employee benefits with the exception of state mandated sick time and workers’ compensation insurance; and
 - (b) those who work 20 or more hours per week on a regular basis throughout the year and are therefore Benefits-Eligible Employees.
3. **Project Employee:** A project employee, whether full- or part-time, is hired for a predetermined period of time.

B. Exempt & Non-Exempt Employees

In certain sections of this handbook, employees will be referred to as “exempt” or “non-exempt.” The term “exempt” refers to the exemption from overtime pay provisions of the Fair Labor Standards Act (FLSA) and applicable state wage and hour laws. Non-exempt employees, on the other hand, are covered by the overtime provisions of the FLSA and/or by applicable state wage and hour laws.

C. Hours of Work

Full-Time Employees

The standard full-time work week is 40 hours per week Monday through Friday with a daily half-hour to one-hour unpaid meal period. Some departments require weekly work schedules that include weekend hours. Others may also require daily work schedules that vary from the standard workday.

Part-Time Employees

Supervisors will establish regular work schedules for employees when they begin their employment. Part-time employees who do not qualify for benefits will not exceed 1,000 hours in a calendar year.

Meal/Rest Periods

An employee who works at least six hours per day will be scheduled for a one-half hour unpaid meal period by their supervisor.

Flexible Schedules

Some departments allow flexible schedules for employees. Requests for schedules which differ from the standard may be approved if the supervisor determines that the needs of the department can be met. Such schedule modifications should be reviewed by the supervisor with Human Resources prior to approval, and may be disapproved at any time as requirements warrant.

D. Emergency Closings

The Clark may be closed by the Director (or designated senior staff member) either before the beginning of the workday or during the course of a day in the event of an emergency or inclement weather. The time not worked will be considered to be a paid absence for all employees who are scheduled to work that day and were present at the time of the closing.

Even when conditions do not warrant the closing of the Clark, driving conditions may delay some employees or cause them to leave early to get home safely. If you find that you will be delayed or need to leave early, you are expected to inform your supervisor or department and try to be at work as close to your regular hours as practical as long as the Clark is not formally closed. If you arrive or depart within four hours of your usual schedule, and such an arrival or departure time is reasonable given the driving conditions, no time will be required to be made up and the time will be paid. If you arrive or depart more than four hours apart from your usual schedule, you will have three options: 1) You may arrange to make up the lost time during the same work week; 2) You may choose to use personal time or vacation time; or 3) if all personal time or vacation time has been exhausted, a non-exempt employee may choose to take the time as unpaid.

The Clark will communicate emergency closings to all employees.

E. Overtime

Because of the nature of work, employees may need to work on weekends, holidays, or additional hours during the regular workday and are expected to comply with any such requests.

All non-exempt employees will be paid one and one-half (1.5) times their regular hourly rate for hours actually worked in excess of forty (40) per workweek. For non-exempt employees, supervisors must give prior authorization for all overtime hours in consultation with Human Resources.

For the purpose of computing overtime hours for non-exempt employees, all paid time off will count as "hours actually worked." Paid time off can only be used to make up the missed hours for a single day up to eight (8) hours. You cannot use paid time off in a single day to put yourself into an overtime situation. For example, you cannot work five hours and then take five hours of sick on the same day to give yourself two hours of overtime. You are only permitted to take three hours of sick for that given day.

Exempt employees are not eligible for overtime pay.

F. Time Reporting

Non-exempt employees use timecards to record hours worked, approved paid absences, and other scheduled hours not worked. Each day, non-exempt employees must record the time they begin and leave work, and the duration of their meal period. Timecards must be accurate and submitted biweekly and must also be signed by you and your supervisor and

submitted to Payroll by 2:00 p.m. every other Monday. Falsification of any information on a timecard will result in disciplinary action up to and including termination.

Overtime hours, call-ins, and holiday premiums must be reported on your timecard and will be paid for each pay period in which they occur.

Exempt employees must submit leave records bi-weekly noting their regular work week and/or any paid leave.

G. Pay Procedures

Deductions

The Clark will withhold any deductions required by federal, state, and local law or authorized by voluntary agreement from each employee's paycheck in accordance with federal, state, and local law.

Direct Deposit

You may elect to have your net pay directly deposited into your bank accounts. Direct deposits are credited on the pay dates, and you will receive an earnings statement showing the gross pay and deduction amounts. Any bank changes need to be reported to Payroll as soon as possible. Direct deposit is encouraged as it reduces the risks of lost or stolen checks.

Call-Ins

Non-exempt employees called in by Buildings and Grounds for time that is not previously scheduled will be guaranteed a minimum of four hours pay even if the employee works fewer than four hours. Only the hours worked (and not the guaranteed minimum four hours) will be paid at time and a half. The balance of the guaranteed four-hour minimum will be paid as straight time.

An employee who is "called in" on a Clark holiday will be paid triple time for the hours worked and straight time for the balance of each guaranteed four-hour minimum.

Holiday Premium

Non-exempt employees who are scheduled to work on a Clark holiday will be paid time and a half for the hours worked and will be granted another day off within 30 days of the missed holiday.

V. Personnel Files and Personnel Data Changes

A personnel file for each employee will be maintained in a confidential manner in Human Resources. Employees may submit a written request to access their individual personnel

records by contacting Human Resources and requesting an appointment to review the contents of their files. The file may not be removed from Human Resources. Employees may review the information, which is kept in their own personnel files and may request and receive copies of all documents. Employees may take notes of any information that is in their files and may submit their own written statements in support of, or in opposition to, any documents in their files.

Information contained in an employee's file is not given to any party outside the Clark without the permission of the employee, except where such release is authorized or required by law.

Personnel Data Changes

Employees must inform Human Resources of changes in the following:

- Legal Name;
- Address;
- Telephone Number;
- Emergency contact information;
- Dependents covered by the Clark's group medical insurance;
- Beneficiaries of life insurance;
- Marital status;
- Tax withholding information; and/or
- Driving record or status of driver's license when operating a Clark vehicle or personal vehicle on official Clark business.

VI. Workplace Safety

A. Safety Mission

The Clark's goal is to create a safe working environment that removes unsafe practices and eliminates avoidable accidents. The Clark is governed by federal and state occupational safety and health laws that regulate hazards in the workplace, as well as its own safety and health standards and policies. Each employee is expected to comply with all applicable health and safety laws, standards and policies.

Employees have a right to report work-related injuries and illnesses free from retaliation. No employee will be deterred or discouraged from reporting a work-related injury and/or illness, and no employee will be retaliated against for reporting work-related injuries or illnesses.

B. Alcohol- and Drug-Free Workplace

Employees are required to report to work in appropriate condition. It is the Clark's intent and obligation to provide a drug-free, healthful, safe, and secure work environment. Except as stated below, the use, possession, sale, distribution, or manufacture of controlled substances or legal drugs illegally used, or the use, possession, sale, or distribution of alcohol, alcoholic beverages, marijuana or any other intoxicants by any employees on Clark premises or while conducting Clark business off Clark premises is strictly prohibited. Violations of this policy will result in disciplinary action up to and including termination and may be reported to the appropriate authorities.

If you are taking prescribed or over the counter medications, you are responsible for consulting with your prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of your job. If the use of a medication could compromise your safety, or the safety of your fellow employees, or the public, it is your responsibility to use the appropriate personnel procedures (e.g., call in sick, use leave, request change in duty, notify your supervisor) to avoid unsafe workplace practices. The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of this policy to intentionally misuse and/or abuse prescription medications.

All employees must at all times ensure that their off-duty use of any substance prescribed to the employee for medical purposes or lawfully being used under state law:

1. Does not interfere with your duties for the Clark, the Clark's business, or the Clark's employees, customers, donors, vendors, and other business relationships; and
2. Does not pose a threat or danger to you, the Clark's other employees, or any third parties.

The legalization of recreational marijuana often creates questions and confusion. It is important to understand, that while marijuana possession has been decriminalized in Massachusetts, it is still prohibited in the Clark.

The Clark understands that medicinal marijuana is legitimately prescribed for a number of illnesses and conditions. Legal employee use of marijuana when not in the workplace or otherwise not on working time is not regulated by the Clark. However, such use or contact must not be allowed to interfere with job performance. Employees who require accommodation for a disability are encouraged to contact Human Resources to discuss reasonable accommodations.

Employees are prohibited from reporting for duty or remaining on duty while under the influence of alcohol or any other intoxicants. Employees are further prohibited from

consuming alcohol or other intoxicants during working hours, including meal and break periods.

Clark-sponsored social functions may be excluded from the prohibition on alcoholic beverage consumption. Use of drugs, including marijuana is never allowed at Clark-sponsored functions. Regardless of whether such functions occur on or outside Clark premises, during or after normal working hours, Clark employees are expected to conduct themselves professionally and responsibly. Professional and responsible conduct includes, but is not limited to: the exercise of sound judgment, respect for the rights and feelings of others, and consideration of the Clark's reputation. The fact that alcoholic consumption may be allowed at certain Clark -sponsored functions in no way lessens an employee's obligation to use alcohol in a responsible manner, and an employee's decision to consume alcohol will not excuse any departure from standards of professional conduct. Employees are not permitted to consume alcoholic beverages at Clark-sponsored social functions if they will be operating any machinery as part of their work at the function.

The Clark recognizes that drug and alcohol dependency is an illness and a major health problem. Employees needing help are encouraged to contact Human Resources for referrals to assistance programs and to options/resources available through the Clark's benefit plans.

C. Violence in the Workplace

The Clark strives to maintain a safe workplace and has therefore developed the following policy regarding workplace violence. All employees are required to understand and follow the provisions of this policy.

Prohibited Conduct

The Clark will not tolerate any type of workplace violence. Employees are prohibited from making threats or engaging in acts of aggression or violence. Prohibited conduct includes, but is not limited to, the following:

- possessing guns, knives, or other weapons on Clark premises or while performing work for the Clark off-premises;
- striking, attempting to strike or threatening to strike a supervisor, fellow employee, client, visitor or any other person affiliated with the Clark;
- threatening or intimidating a supervisor, fellow employee, client, visitor or any other person affiliated with the Clark.

Reporting Procedures

Any potentially dangerous situation or violation of this policy must be reported immediately to Human Resources. All reported incidents will be promptly investigated.

The Clark will strive to keep the identity of individuals making reports as confidential as possible, consistent with the need to conduct an adequate review and investigation.

Risk Reduction Measures

While the Clark does not expect employees to be skilled at identifying potentially dangerous persons, they are expected to exercise good judgment, and to inform Human Resources or a supervisor if any individual exhibits behavior which could be a sign of a potentially dangerous situation. Such behavior may include discussing weapons or bringing them to the workplace, displaying overt signs of hostility or anger, or making threatening remarks.

Enforcement

Any employee who engages in workplace violence or who fails to follow this policy's reporting procedures will be subject to disciplinary action, up to and including termination of employment. Additionally, acts or threats of violence may be reported to the proper authorities and fully prosecuted.

D. Smoking Policy

Smoking is prohibited anywhere inside the Clark, the Clark's vehicles, or the Clark's equipment. Employees should use the designated smoking area and discretion with respect to visitors and co-workers when smoking outside the buildings. Smoking for purposes of this policy includes e-cigarettes and vaporizers or vapor cigarettes.

The designated smoking area is at the southwest corner of the Manton building.

Employees will not smoke outside of the East or West entrances of the Manton building, the entrance to the main museum building, the outside of the Lunder Center entrance, the Lunder Center terrace or the Conforti Terrace.

Employees will extinguish their cigarettes properly and dispose of them in the cigarette ashtrays at the designated smoking areas.

E. After Hours Access

Employees who work past 7:00 p.m. must advise the Security Department that they are extending their workday and will notify the Security Department at extension 212 upon their departure.

Employees who enter the building after hours or on weekends need to register at the Monitor's desk in the library or at the East entrance desk.

F. Emergencies, Safety and Security

Evacuation

Employees should evacuate the building whenever the emergency alarm systems are activated. The Security Department will facilitate the evacuation of all visitors.

In an evacuation, employees should go to the nearest muster location, which are (1) the Lunder Center parking lot, (2) the southeast Manton parking lot; (3) between the loading dock and the main parking lot; (4) between the Clark Center and the 1955 building, and (5) in front of the 1955 building. If employees are able to, they should gather in the southeast Manton parking lot, where department heads will be responsible for accounting for their employees. Employees may re-enter the building when permission is given by the Security Department.

Safety

Employees must take all necessary precautions to protect themselves, others, and Clark property. Employees are required to follow all safety rules, signs, and instructions. Please be particularly alert to any unsafe or hazardous conditions and report them immediately to your supervisor or the Security Department. Should an on-the-job accident result in injury, regardless of how serious, your supervisor and the Chief Financial Officer must be notified immediately.

Security

All employees are responsible for knowing the rules for the safety and security of other employees, the public, works of art, and other Clark property. The Clark's security arrangements should not be discussed with anyone other than Clark employees. You should be alert not only for security violations, but also for conditions that encourage vandalism, accidents, damage or theft. The Security Department or your supervisor should be notified immediately of any apparent security violation.

G. Fire Prevention and Protection

If a fire is discovered, pull the nearest fire alarm (located near all exits). To report a potential fire or safety hazard, call the Security Department immediately at extension 212. The Clark is protected by an electronic, early warning fire detection system. All fire detection systems are annunciated within the facility both visually (strobe lights) and audibly (fire horns). The fire detection system is monitored continuously by the Security Department and an off-site monitoring station.

Use caution with heating appliances, tools, equipment causing friction, and with chemicals and cleaning agents which might cause fire.

H. Identification Badges

Identification badges will be issued to:

- Clark employees;
- Security Department staff;
- Williamstown Art Conservation Center employees;
- Contractors;
- Visiting Scholars;
- Volunteers working in non-public areas; and
- Graduate program staff and work-study students

Badges will be color-coded according to the organization affiliation and access parameters.

Badges should always be worn visibly when in the building. Employees and other badge-holders should be prepared to display their badge upon request to the security officer when entering the building.

All visitors to non-public areas and all contractors will be issued a visitor's pass which they will be required to wear on an outer garment at all times when in the building. A visitor's pass can be obtained by registering at the Security Office or Reception Area. If the stay of the visitor or contractor is for an extended period, a photo ID badge will be issued.

If a badge is lost or stolen, Clark employees will report the loss to the employee's supervisor and the Security Department. Others will report the missing badge to their organization affiliation contact person and the Security Department. A new badge will be issued. If a lost badge is recovered, it will be returned to the Security Department.

Upon ending employment at the Clark, you will be asked to return your ID badge. Other organizations' employees will return the badge to a designated employee of the organization who will be responsible for its return to the Security Department.

I. Keys

Employees will be assigned a key box, a set of keys, access codes, and instructions on their use. These keys are the property of the Clark and may not be taken from the premises.

J. Sexual Abuse and Molestation Prevention

The Clark does not permit or allow sexual abuse or molestation to occur in the workplace or at any activity sponsored by or related to it. In order to make this "zero-tolerance" policy clear, we have adopted mandatory procedures that employees must follow when they learn of or witness sexual abuse or molestation.

Sexual abuse takes the form of inappropriate sexual contact or interaction for the gratification of the actor who is functioning as a caregiver and is responsible for the student's, patient's Will or child's care. Sexual abuse includes sexual assault, exploitation, molestation or injury. It does not include sexual harassment, which is another form of behavior which is prohibited by the Clark.

Reporting Procedure

All employees who learn of sexual abuse being committed must immediately report it to Human Resources. Appropriate family members of the victim as well as governmental agencies will be notified immediately of suspected abuse.

Investigation & Follow Up

We take allegations of sexual abuse seriously. Once the allegation is reported we will promptly, thoroughly and impartially initiate an investigation to determine whether there is a reasonable basis to believe that sexual abuse has been committed. Our investigation may be undertaken by either an internal team or we may hire an independent third party. We will cooperate fully with any investigation conducted by law enforcement or regulatory agencies and we may refer the complaint and the result of our investigation to those agencies. We reserve the right to place the subject of the investigation on an involuntary leave of absence or reassigning that person to responsibilities that do not involve personal contact with individuals or students. To the fullest extent possible, but consistent with our legal obligation to report suspected abuse to appropriate authorities, we will endeavor to keep the identities of the alleged victims and investigation subject confidential.

If the investigation substantiates the allegation, the perpetrator will be subject to discipline, including termination.

Retaliation Prohibited

We prohibit any retaliation against anyone who in good faith reports sexual abuse, alleges that it is being committed, or participates in the investigation. Intentionally false or malicious accusations of sexual abuse are prohibited.

Anyone who improperly retaliates against someone who has made a good faith allegation of sexual abuse, or intentionally provides false information to that effect, will be subject to discipline, up to and including termination.

VII. Workplace Expectations

A. Dress and Grooming

All employees are expected to use good judgment in matters pertaining to personal grooming and dress, taking into account the impression one's appearance makes on patrons, visitors and coworkers. All clothing should be neat, clean and professional.

A supervisor may require specific dress codes in particular settings or under certain circumstances, and employees are expected to comply with such requirements.

Employees interacting with outside vendors, donors, members, or guests, or attending outside seminars or meetings, shall dress in attire suitable to their job and consistent with the daily dress code. Employees whose work entails wearing safety related clothing, footwear, or headgear are required to conform to all applicable safety standards at all times.

Employees should be mindful that some perfumes or colognes may be offensive or physical dangerous to others. If a complaint is received, an employee may be asked to refrain from wearing a particular fragrance.

B. Employment of Relatives

The Clark may employ relatives of current Clark employees as long as employment does not present a source of potential or actual conflict, either to the Clark or to the individuals involved. Each situation is examined carefully, and decisions are made on a case-by-case basis, except that relatives may not be employed within the same line of supervision and relatives of the Director, Deputy Director and Director's Group will not be considered for any regular full-time position.

Employees must disclose to Human Resources any relatives who are employed by or render services as an independent consultant to the Clark.

For this policy, "relative" is defined as a parent or stepparent, in-law, spouse, child, brother, sister, grandparent or any person living in an employee's household.

C. Employment Verification

The Clark is committed to meeting our obligations under U.S. Immigration Law. Accordingly, we neither hire nor continue to employ any person who is not legally authorized to work in the United States. The employment verification process requires that all new employees complete and sign an Employment Eligibility Verification Form (Form I-

9) certifying this authorization. It also requires that the Clark examine specific documents that you will be required to provide within three days of starting work.

D. Confidential and Proprietary Information

The Clark is committed to protecting the privacy of its operations and of individual employees.

Maintaining confidentiality is essential to the Clark's ability to conduct business effectively. Therefore, employees who have access to confidential information are required to exercise good judgment in handling it. Proprietary or privileged information includes but is not limited to information about collections, museum membership, trustees, associates, development, donors, objects, personnel files, budgets, future exhibition notices, security passwords, security procedures, or any similar business related information. Information about the administrative and non-scholarly activities of the Clark that employees may acquire in the course of their duties, and which is not generally known or available to the public, must also be treated as information proprietary to the Clark. Such information should not be used for personal advantage or for purposes detrimental to the Clark. No person associated with the Clark may use confidential information acquired through their position in any outside employment or activity without the express prior consent of Human Resources.

When there is doubt about the confidentiality of a question or request, the matter should be referred to Human Resources. Compromising this policy is grounds for disciplinary action, up to and including termination.

E. Driving on Behalf of the Clark

Any employee who operates a motor vehicle on official Clark business whether it is owned by the Clark or a personal vehicle, must maintain a valid driver's license and a driving record acceptable to the Clark's insurer.

Any employee driving a personal vehicle on Clark business or a Clark-owned vehicle, whether it is on Clark business or not, shall be free from the influence of alcohol, marijuana, recreational drugs, illegal substances and any prescribed substances that may alter the ability to operate heavy machinery. The driver must drive in a safe manner and adhere to all safety and state driving laws, including wearing a seatbelt, driving the speed limit, and refraining from texting and/or using a cell phone while the car is moving. Drivers must also adhere to OSHA guidelines.

Employees are prohibited from using cellphones while driving on Clark business without the use of hands-free devices. This includes talking, texting, and using the internet.

Any changes in an employee's driving record must be reported to Human Resources immediately.

F. Solicitation/Distribution of Literature

Employees and non-employees may not solicit, circulate, or distribute materials on Clark premises or during working time that are not related to Clark business without approval from Human Resources.

If Human Resources approval has been obtained, employees may post non-job-related information to employees via the Staff Exchange bulletin board on the Artranet or via departmental bulletin boards.

G. Travel

The Clark's Travel Policy is located in Appendix B. Employees who travel as part of their employment with the Clark are expected to review and comply with the Clark's Travel Policy.

H. Attendance and Punctuality

Punctuality and regular and reliable work attendance are essential job functions.

If employees are going to be late, they must contact their supervisor ahead of time. If employees are unable to report to work at all because of illness or emergency, their supervisor must be notified directly as soon as possible prior to the start of the scheduled work time. Employees may be asked to submit a doctor's note for a medical absence that exceeds three days, or as allowed under the Massachusetts Sick Leave law.

Violation of this policy may lead to disciplinary action up to and including termination. Non-exempt employees will not be paid for time lost due to lateness or early departures.

I. Avoidance of Meetings on Thursdays

In order to facilitate productivity, employees should avoid holding meetings on Thursdays, with the exception of meetings with Human Resources, meetings off-campus, and meetings with individuals who are not Clark employees, which may be scheduled anytime.

J. Hiring Policy and Procedures

The Clark believes that hiring qualified individuals to fill positions contributes to the overall success of the Clark. Each employee is hired to make significant contributions to the Clark. In hiring qualified candidates for positions, the following process should be followed.

Position Descriptions

Position descriptions must be drafted by the hiring manager and forwarded to Human Resources. Human Resources' approval is required for all position titles and descriptions.

Job Postings

Human Resources will create job postings that describe the job opening. Job postings will be displayed on the Clark's website and externally with sources appropriate for the position being filled. Jobs will remain posted until the position is filled.

Internal Applicants

Current employees may apply for internal job openings. All applicants for a posted vacancy will be considered based on their qualifications and ability to perform the job successfully.

Interview Process

Human Resources and the hiring manager will screen applications. Initial interviews are generally conducted by video conference by the hiring manager. Selected applicants will be interviewed on campus by an appropriate team of Clark employees.

Job Offers

After a decision has been made to hire a candidate, an offer will be made contingent on the satisfactory completion of required background checks. Once Human Resources receives satisfactory results from all required background checks and tests, candidates will be provided with a final job offer.

K. Background Check Policy

As of January 1, 2020, the Clark will conduct background checks on all candidates offered positions of employment and on all potential volunteers. Student unpaid interns will not require background checks unless they will be working with children or other vulnerable populations.

Background checks will be conducted by a reputable third-party consumer reporting agency. All background checks will be conducted in compliance with federal and state law. Information obtained through a background check will be kept separate from the regular personnel file and will be maintained in strict confidence, consistent with the terms and purpose of this policy.

The background check generally will include a review of information from an individual's previous employer(s), educational institutions, law enforcement agencies at the federal, state and county levels; and in some cases, credit reporting agencies.

For new hires, background checks ordinarily will be processed at the time a conditional offer of employment is made.

In each case in which a background check will be performed, the individual will be asked to complete and sign a release authorizing the third-party vendor to conduct the background check. If the individual fails to sign the release, any offer for employment will be rescinded, and any current employee may be disciplined, up to and including termination of employment.

Background check reports will be obtained and reviewed by Human Resources, who may review the information with others with a need to know. In instances where negative information is obtained, Human Resources will assess the potential risks and liabilities related to the job's requirements and determine in accordance with federal and Massachusetts law whether the individual should be hired or, if the individual is a current employee, whether their employment with the Clark should continue.

If an individual is to be denied employment or terminated from current employment wholly or partly because of information obtained in a background check, the individual will be so informed in advance of any adverse action. In addition, where required by law and to the extent applicable, the individual will be given (a) a copy of the relevant background check report, (b) a summary of the individual's legal rights concerning the background check report, and (c) the name, address and phone number of the third-party vendor if the individual has questions about the results of the report or wants to dispute the accuracy of the report. (Note, however, that the vendor does not make employment decisions and will be unable to provide any individual with specific reasons as to why the adverse action was taken.)

Information discovered through the background check process will be used solely for the purpose of evaluating a finalist's suitability for employment and will not be used to discriminate against a finalist on the basis of age, ancestry, citizenship status, color, creed, disability, domestic partnership status, domestic violence victim status, familial status, genetic information, gender identity or expression or transgender status, marital status, military status, national or ethnic origin, political belief, pregnancy, race, religion, sex, sexual orientation, or any other characteristic protected by law.

Any questions concerning this policy may be directed to Human Resources.

L. Separation of Employment

An employee who decides to resign is asked to submit written notice to their immediate supervisor at least two weeks prior to their last day of employment.

The effective date of termination shall be the employee's last day worked. Accrued vacation will be calculated as of last day worked and paid out in one lump sum in the last paycheck received.

An employee who has been terminated at the discretion of the Clark will receive any and all final pay owed to them on the last day worked.

M. Exit Interview

Exit interviews are conducted by Human Resources with all employees leaving the Clark. At this time information regarding eligibility for continuing benefits will be discussed, arrangements will be made for the issuance of the final pay check, arrangements will be made for the return of all keys, books, ID cards, and other Clark property, and the individual will be asked to discuss their employment at the Clark.

VIII. Electronic Communication/Internet Security Policy

A. Appropriate Use of Electronic Communication

For business reasons relating to productivity, professional employee conduct and the Clark's reputation and security, and to prevent information systems use for purposes of harassment or other conduct that could give rise to liability for the Clark, the Clark may monitor employee access to Internet sites, email, computers, and mobile devices and take appropriate disciplinary action if necessary. Employees should have no expectation of privacy on these systems. The Clark's full Electronic Communications-Appropriate Use Policy is located in Appendix C.

B. Social Media

The Clark recognizes that social media is an excellent way to remain connected with the world. However, use of social media also presents certain risks and carries with it certain responsibilities. Ultimately, you are solely responsible for what you post online on your own social media platforms. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects the Clark, patrons, customers or others who work on behalf of the Clark or the Clark's legitimate business interests may result in disciplinary action up to and including

termination. Employees may only post on the Clark's social media pages when authorized to do so by the Communications Department or by the Director.

The Clark's full Social Media Policy is located in Appendix D.

IX. Conflicts of Interest

A. General Responsibilities, Avoidance of Conflict of Interest

The Clark expects its employees to conduct business according to the highest ethical standards of conduct and to devote their best efforts to the interests of the Clark. All employees must avoid any actions that could create a conflict of interest or the appearance of such a conflict.

In general, a potential or actual conflict of interest (or the appearance of such a conflict) occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (i.e., spouse or significant other, children) as a result of the Clark's business dealings. Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones that most frequently pose a potential conflict. It is expected that any doubts, questions or uncertainty about a potential conflict of interest will be raised immediately with the employee's supervisor, or Human Resources. Any potential or actual conflict of interest should be disclosed promptly in writing to the employee's direct supervisor.

An employee's violation of any Clark policy or agreement relating to conflicts of interest and confidentiality will result in disciplinary action, up to and including termination of employment.

B. Outside Employment, Consulting, Teaching, Lecturing, Writing

Employees who contemplate taking on any outside professional or business activities, including but not limited to consulting, writing, and speaking engagements, that might interfere with their work at the Clark, interfere or conflict with the Clark's interests, or is a result of their employment with the Clark, must inform their supervisor in advance. If an employee's performance and/or attendance is adversely affected by the outside employment, or where the employee's supervisor determines that the arrangement conflicts with the Clark, the employee may be required to either resign from the outside employment or from the Clark.

C. Ownership of Scholarly Material

Employees are encouraged to write and publish both for the Clark and on their own.

Ownership of copyright rests with the Clark on all material prepared as:

1. Part of the normal duties of the employee or
2. Specially contracted by the Clark, unless exceptional arrangement is made prior to publication.

Ownership of copyright for works done on employees' own time remains their possession, but such work must be in keeping with this code and satisfy the outside employment policies set forth in this Handbook.

D. Property, Equipment, and Work Product

Clark equipment, files, and materials with which employees may come into contact are the sole property of the Clark and are not to be used without the express permission of the Clark for any purposes outside an employee's responsibilities to the Clark. This includes, but is not limited to, equipment and office property; Clark credit accounts; software; mailing lists; intellectual property; and written materials such as brochures, reports, publications, and press materials. Without express written authorization from Human Resources, no such property of the Clark shall be developed for or diverted to an employee's private interest or the interest of any third party. All such property along with any copies must be turned over to the Clark on termination of employment.

No employee should use in their home or for any other personal purpose any object or item that is part of the Clark's collections or under the guardianship of the Clark, or use any other property, supplies, or resources of the Clark except for the official business of the Clark.

E. The Clark's Name and Goodwill

It is understood that total content and appearance of material using the Clark's name and the accuracy of statements made by an employee may affect the Clark and its reputation. Employees are expected, therefore, to safeguard that reputation and not engage in any activities that involve the actual or apparent: (1) use of employment with the Clark or the Clark's name, contacts, work products, opportunities or other property to further outside activities, business or employment; (2) association of the Clark with any outside activities, business or employment; (3) use of the Clark's name in such a way as to lend weight or prestige to an employee's sponsorship of a political party or cause; or (4) use of the Clark's name in an endorsement of the product, services or cause of any outside company or organization.

F. Financial Interest in Other Business

Employees must disclose to Human Resources if they have an ownership interest in any entity that does business with the Clark, except for owning fewer than five percent of the shares of a publicly traded entity that does business with the Clark.

G. Acceptance of Gifts

No employee may solicit or accept gifts, entertainment or other benefits in excess of \$500.00 per year from potential and actual business partners, licensees, contractors, or grantees, absent prior written approval of Human Resources.

An employee may pay reasonable and appropriate costs of a working meal with potential or actual business contacts if such activities are consistent with accepted business practices, do not violate any law or generally accepted ethical standards, and the public disclosure of facts will not embarrass the Clark. Any questions regarding this policy should be addressed to Human Resources.

X. Paid Time Off/Leaves of Absence

A. Paid Vacation Time

All Benefits-Eligible Employees accrue paid vacation days daily for the following totals per year (prorated for benefits-eligible part-time employees):

- First year of employment: ten days per year.
- Second year of employment: fifteen days per year.
- Third year of employment and thereafter: twenty days per year.

All vacation schedules must be approved and coordinated by supervisors to ensure continued efficient workflow, and it may not always be possible for a vacation to be taken in a single unbroken period. The Clark will attempt to meet all requested vacation schedules, but for it to do so, it is important that employees indicate their vacation preferences as far in advance as possible. Preference will be given based on work schedules and requirements and based on employee seniority.

Vacation time is measured in anniversary years from date of employment. Taking any unearned accrued vacation is strongly discouraged. However, in some circumstances an employee may request to take vacation time not yet earned. The request should be submitted to your supervisor and Human Resources.

Unused vacation may be accumulated. At the end of any anniversary year, the carryover of unused vacation time may not exceed forty (40) days (prorated for benefits-eligible part-time employees). All remaining time will be forfeited.

Upon leaving employment at the Clark an employee will be paid the balance of unused accumulated vacation time. Employment will terminate on the last day you actually work, and unused, accrued vacation pay will be added to your final paycheck. Conversely, any employee who upon leaving the Clark has taken more vacation time than has been earned will have that excess vacation pay deducted from the final paycheck as set forth in an acknowledgement signed by the employee.

B. Paid Sick Time

The Clark's paid sick time policy provides you with a continuation of income in the event of an illness or injury which prohibits the performance of your job. All Benefits-Eligible Employees will receive ten days of sick time at full pay (prorated for part-time employees) each year, beginning on their first date of employment.

Unused paid sick time may be accumulated for Benefits-Eligible Employees. The carryover of paid sick time for Benefits-Eligible Employees will not exceed 130 days.

Non-benefits-eligible employees will receive five days of paid sick time at full pay each year, beginning on their first date of employment. Non-benefits-eligible employees cannot use paid sick time until they have worked for the Clark for ninety (90) days. Unused paid sick time may be accumulated for non-benefits-eligible employees. The carryover of paid sick time for non-benefits-eligible employees will not exceed five days.

All employees may use paid sick time when the employee or the employee's child, stepchild, spouse/partner, parent/stepparent, or parent/stepparent of a spouse/partner is sick, has a medical appointment or to address the effects of domestic violence.

Paid sick time is measured in anniversary years from date of employment.

Paid sick time is not to be substituted for an employee's personal or vacation days. Employees may be required to submit a doctor's note or other documentation to support the use of sick time if the absence:

1. Exceeds twenty-four (24) consecutively scheduled work hours or three (3) consecutive days on which the employee is scheduled to work;
2. Occurs within two (2) weeks prior to an employee's final scheduled day of work (except in the case of temporary employees); or
3. Occurs after four (4) unforeseeable and undocumented absences within a three (3) month period.

Employees should notify their supervisor about their need for paid sick time seven days in advance of the need to use the time, if the need is foreseeable. In all other cases, employees should notify their supervisor as soon as it is practicable to do so. In case of illness, employees should telephone their supervisor as soon as practicable. Generally, this will be on the first day of illness and each successive day of illness no later than one (1) hour after the employee's scheduled time to report to work. Those in positions where shift coverage is essential should call before the scheduled hour for reporting for work, if practicable to do so.

Accrued but unused paid sick time is not paid out upon leaving employment.

C. Paid Personal Time

Employees are expected to meet their work schedules whenever possible. Paid personal time is designed to allow absences from work for a day, several days, or part of a day when an employee must conduct personal business that cannot be accomplished outside working hours.

Benefits-Eligible Employees may take up to four days (32 hours) of paid personal time each anniversary year (prorated for benefits-eligible part-time employees). No reason for taking paid personal time need be given. Paid personal time should, whenever possible, be arranged by prior consultation with your supervisor, and should not be used to extend a vacation or a holiday. Paid personal time may be taken in increments of one (1) hour.

Unused paid personal time does not roll over into the next year, and accrued but unused paid personal time is not paid out at termination.

D. Prolonged Illness Benefit

If an employee's non-work-related injury, illness, or maternity leave extends beyond the time at which all available sick leave has been expended, employees who have been employed for at least one (1) year before the beginning of the leave and who are Benefits-Eligible Employees will qualify for the Prolonged Illness Benefit. This benefit continues wages at fifty (50) percent of regular pay for the duration of the non-work-related injury, illness, or maternity leave, or until the absence has lasted for six months.

Employees will be required to fill out all required paperwork with their physician certifying their condition and information.

For additional information about maternity leave, see the section below on the Massachusetts Parental Leave Act (XI.C).

E. Prolonged Illness Benefit for Life-threatening Illnesses

An employee who is diagnosed with a life-threatening illness and has exhausted all available sick time will become eligible for 100 percent paid leave, up to six (6) months for Benefits-Eligible Employees and three (3) months for part-time employees working less than 20 hours per week. The employee's normal benefits will continue and will be deducted out of the paid leave, as well as the employee's normal tax liability. Paid leave can be treated as continuous or intermittent depending on the treatment schedule and doctor's orders.

Employees will receive this benefit until the earlier of either: (1) they are cured of their illness, (2) they have reached remission and have been cleared to return to work, or (3) they have reached the end of the three (3) and six (6) month time limits noted above.

All employees will be required to fill out FMLA paperwork with their physician certifying their condition and information.

F. Paid Holidays

The Clark allows 11 paid holidays for Benefits-Eligible Employees.

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day
- A day just before or after Christmas

By prior arrangement, employees may substitute a listed holiday for another holiday the employee chooses to observe.

The Clark will provide reasonable accommodation consistent with the law to employees and applicants with needs related to their religious observance.

G. Paid Bereavement Time

A paid absence of up to three (3) paid days will be granted to Benefits-Eligible Employees in the event of the death of a member of the employee's or spouse's immediate family (spouse/partner, child, stepchild, sibling, step sibling, parent or stepparent, parent or stepparent of spouse/partner, grandparent/step grandparent, grandparent/step grandparent of spouse/partner or grandchild or step grandchild).

H. Jury Duty

All Clark employees will be granted paid leave for jury duty. Employees summoned for jury duty must give their supervisor a copy of the summons as soon as it is received and must provide Human Resources with a certification of completion once jury duty has ended. If jury duty occupies only part of the day, employees are expected, if possible, to report for work when dismissed from court.

XI. Unpaid Time Off/Leaves of Absence

All relevant paid leave must be used prior to requesting or being granted unpaid leave except in the case of leave taken for the purposes of childbirth. Absent emergency circumstances, a written request for any unpaid leave of absence in excess of five working days must be submitted to the employee's immediate supervisor prior to the beginning of the leave. Approval of requests for these leaves of absence is made by Human Resources and is contingent upon the supervisor's recommendation.

From the beginning of an unpaid leave, you must maintain communication with your supervisor and keep your supervisor informed with respect to anticipated date of return to work.

A. Emergency Leave

Supervisors may recommend to Human Resources that the Clark grant an unpaid leave for up to five days in an emergency. Although the Clark will try to return an employee who takes an emergency leave to the same job, job protection is not guaranteed.

B. Federal Family and Medical Leave (FMLA)

The Clark provides Family and Medical Leave to all FMLA-eligible employees in accordance with the Federal Family and Medical Leave Act (FMLA) and applicable state and federal laws. FMLA leave is unpaid.

In order to be eligible for FMLA leave, employees must have been employed for at least one (1) year and have worked at least 1,250 hours in the twelve (12) calendar months before leave is requested.

You may request a medical leave of absence without pay for purposes of family care of a child, spouse, or parent, or your own serious health condition, as defined by the FMLA. Employees may take twelve (12) weeks of FMLA leave within a twelve (12) month period. The twelve (12) month period is measured from the day you use FMLA leave. FMLA leave is also available for Military Caregivers and for active duty qualifying exigency.

You should speak directly with Human Resources prior to taking leave to ensure your understanding of all obligations to the Clark while on leave, such as “reporting in” and verifying obligations. Failure to comply with this policy may substantially affect your ability to return to work. Our full FMLA Policy is located in Appendix E.

C. Massachusetts Parental Leave Act (MPLA)

A regular, full-time employee may be entitled to benefits under the Massachusetts Parental Leave Act (MPLA). MPLA provides MPLA-eligible employees up to eight (8) weeks of unpaid leave, for the purposes of giving birth to a child or for the adoption of a child under the age of 18, or under age of 23 if the child is mentally or physically disabled with the employee or for the placement of a child with an employee pursuant to a court order.

An employee requesting parental leave is required to provide at least two (2) weeks’ notice of their anticipated departure and their intention to return to work. An employee will be allowed to provide less than two (2) weeks’ notice as long as it is made as soon as practicable and the delay is for reasons beyond the individual’s control.

If both parents are employed by the Clark, the eight (8) weeks of parental leave must be shared for the birth or adoption of the same child.

If the employee is eligible under the provisions of the Family Medical Leave Act, (FMLA), as well as the MPLA, the Clark’s contributions toward the health and dental insurance in which the employee is enrolled at the time the leave commences will continue when it runs concurrently under the provisions of both laws.

A mother giving birth that has been employed a year or more may request up to an additional four weeks beyond the FMLA twelve (12) weeks, (see FMLA policy) for a total of sixteen (16) weeks.

Application and Approval Process

Please notify your supervisor and Human Resources as soon as possible of your anticipated need for leave under the provisions of MPLA. You will be asked to complete a leave of absence request form. After a review of your written request, Human Resources will send a notice to you informing you of the approval status and confirming the expected dates of your parental leave and your return to work.

Pay While On Leave

Employees on approved parental leave will be required to use available time under the Clark's sick pay plan and may elect to use available paid time off under the Clark's vacation pay plan when available.

In addition, an employee may apply for use of the Clark's sick leave and/or "prolonged illness benefit" during a period of disability resulting from childbirth.

A mother giving birth may provide a physician's statement that the employee continues to be under care and treatment for continuation of the Clark's prolonged illness benefit.

Returning from Leave

At the end of the leave, the employee will be returned to their same or equivalent position with the same pay, benefits, working conditions, and duties so long as similarly situated employees have not been affected by layoffs.

D. Military Leave

Employees who are members of the ready reserve of the armed forces and are required to participate in military training are entitled to a leave of absence for up to seventeen (17) days per calendar year. Employees seeking leave are required to provide reasonable advance notice of the date of departure and date of return. Upon immediate return and after providing documentation of satisfactory completion of the training, the employee generally will be restored to their previous position or a similar position with the same status, pay, and seniority.

In addition, federal law provides broad protection and rights for employees who leave their employment for the purpose of entering uniformed services for extended periods.

"Uniformed Services" refers to the Armed Services (including the Coast Guard), the Army National Guard and Air National Guard (when engaged in active or inactive duty for training, or full-time duty), and the commissioner corps of the Public Health Service. The period of protection extends ordinarily for up to five (5) years. An employee who interrupts their career for uniformed service generally must give advance notice to the Clark of the impending service and must report for work in a timely fashion after the period of uniformed service has ended.

E. Small Necessities Leave

The Massachusetts Small Necessities Leave Act (“SNLA”) is designed to supplement the federal FMLA and guarantees SNLA-eligible employees up to twenty-four (24) hours of unpaid leave in any twelve (12) month period for purposes of accompanying family members to routine medical appointments and participation in children’s activities.

SNLA-eligible employees may take a maximum of twenty-four (24) hours of leave during any twelve (12) month period. In all cases, the twelve (12) month period shall be a “rolling” twelve (12) month period measured backward from the date an employee uses SNLA leave. Leave may be taken in incremental amounts for the following reasons:

- To participate in school activities directly related to the educational advancement of a child of the employee; such as parent-teacher conferences or interviewing for a new school;
- To accompany the employee’s child to routine medical or dental appointments, such as check-ups or vaccinations; and
- To accompany an elderly relative (who is at least sixty (60) years of age and related by blood or marriage) to routine medical or dental appointments or appointments for other professional services related to the elder’s care, such as interviewing at nursing or group homes.

Employees must give at least seven (7) days’ notice for foreseeable leave or as much notice as is practicable if the leave is not foreseeable.

If an employee is on leave, they must substitute accrued paid sick, vacation, or personal time for an equivalent amount of “Small Necessities” leave. If the employee has no accrued paid time available, then the “Small Necessities” leave will be without pay.

F. Domestic Violence Victim Leave

The Clark will provide employees who are victims of domestic violence, sexual assault, and/or stalking, as well as crime victims, with leave in accordance with applicable state law. Employees exercising leave for this purpose will not be subject to retaliation, and such requests will be kept as confidential as possible. Employees facing this difficult problem are encouraged to go to Human Resources to learn what resources are available.

G. Benefits during Unpaid Leaves of Absence

Employees are responsible for paying their own insurance premiums during any unpaid leaves of absence (except FMLA) in excess of one (1) month. Holiday pay ceases during unpaid leaves. Vacation days continue to accrue during unpaid leave.

XII. Health and Welfare Benefits

Employees should refer to the actual plan documents, available in Human Resources, for full details of the coverage of each benefit plan. A summary follows:

A. Medical Insurance

The Clark offers medical insurance coverage. All Benefits-Eligible Employees may join immediately upon employment.

B. Dental Insurance

The Clark offers a group dental insurance. All Benefits-Eligible Employees may join immediately upon employment.

C. Life Insurance

After three (3) months of employment, all full-time and eligible part-time employees are offered the option of group life insurance. Project employees are eligible to participate after fifteen (15) months of employment.

For employees electing group life insurance, they can elect extra Voluntary Life Employee Insurance. Once they sign up for Voluntary Life Employee, they can elect Voluntary Life Spouse and Voluntary Life Child. These premiums are paid 100 percent by the employee.

D. Long-Term Disability Insurance

The Clark provides long-term disability insurance at no cost after employment for one (1) year to full-time and eligible part-time employees, and after employment for two (2) years to project employees. Long term disability may be available after an eligible disability has lasted six (6) months. For disabilities up to six (6) months see “sick leave” and “prolonged illness” benefits.

E. Flexible Spending Accounts (FSA)

An employee can lessen the cost of health and dental care and dependent care by paying certain expenses with pre-tax dollars through the Clark’s Flexible Spending Accounts. Under current law, the money deposited into an FSA is not subject to income taxes, which lowers overall taxable income and lets the employee pay for necessary expenses with tax-free money. Employees may enroll upon hire and re-enroll during open enrollment. This benefit is available to Benefits-Eligible Employees who work at least thirty (30) hours per week on a regular basis throughout the year.

F. Retirement Plan

Employees may participate in the Clark's Teachers Insurance and Annuity Association - College Retirement Equities Fund (TIAA-CREF) retirement plan. Employees may begin contributing to the plan on date of hire. After one (1) year, the Clark will provide matching contributions to Benefits-Eligible Employees in accordance with plan documents.

Withholding limitations are done in accordance with the Department of Labor's regulations. To learn more about eligibility and the different options available, please refer to the plan document, available in Human Resources.

Human Resources and Payroll are not allowed to give guidance and/or advice on what type of plans and/or investment options to choose. If you need guidance and/or advice please refer to a Financial Advisor.

G. Workers' Compensation

An employee injured on the job should inform their supervisor and Human Resources immediately regardless of how minor the injuries. Employees will be assisted in obtaining the proper treatment and filing benefit forms as necessary. For details on workers' compensation coverage, please see the policy documents in Human Resources. Employees who are on leave because of an injury of the job will be paid by the Clark's workers' compensation insurer in accordance with those policy documents. The workers' compensation paid by the insurer will be approximately sixty (60) percent of the employee's base wages.

H. COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health and dental insurance coverage under the Clark's plans when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements. Under COBRA, the employee or beneficiary pays the full cost of coverage at the Clark's group rates plus an administration fee.

XIII. Professional Development

A. Training Programs

Employees may request to attend, or supervisors or department heads may ask an employee to attend, special professional development training programs, seminars, or workshops to improve skills or acquire knowledge which will be of help in their present position. If approved, the department will pay for the cost of the program. Employees should not enroll for any program or training without preapproval by their supervisor.

B. Extended Professional Development

After one (1) year of employment, employees may be granted time off for career growth, i.e., research and education or other reasons approved by the Clark at its sole discretion. Generally, personal professional development absence will not exceed three (3) months. This leave will generally be unpaid but may be paid in certain circumstances, up to the sole discretion of the Director, if the leave is for the purpose of substantial professional experience, training, study, and research directly related to the responsibilities of the employee's position at the Clark.

Employees on unpaid extended professional development leave will be responsible for the full premium cost of medical, dental, and life insurance during this period but will remain members of the group plans.

Prior to going on unpaid status, employees are strongly encouraged to use all paid personal leave.

C. Other Professional Development Activities

The Clark encourages its professional employees to engage in scholarly activity and to maintain an active voice in the museum and library professions. Such activities may include giving lectures, publishing papers and articles, consulting, serving on committees and juries, as well as teaching. Employees should take care, however, to avoid activities that would seem to present a conflict of interest or be detrimental to the Clark or to the operation of the department.

Employees must inform their supervisor in advance of taking on outside professional or business activities that might interfere with their work at the Clark, interfere or conflict with the Clark's interests, or is a result of their employment with the Clark. In addition, if an employee wishes to pursue professional development activities on Clark time and/or with the assistance of Clark resources (support staff, phones, postage, etc.), it must be arranged in advance with the supervisor.

Please see Section IX.B for additional information about a possible conflict of interest created from these activities.

For approved short-term projects, employees are permitted to retain any nominal honoraria.

For approved long-term projects, employees are required to use their own paid Personal Leave, unless a paid professional development absence is granted in accordance with Section XIII.B of this Handbook.

D. Tuition Reimbursement Policy

The Clark recognizes the benefit to both its employees and the Clark when employees participate in job-related educational activities. To encourage employees to continue their education and improve their current job performance the Clark offers some educational assistance through partial tuition reimbursement to Benefits-Eligible Employees who have been employed at the Clark for at least six months.

The tuition assistance is for credit courses that are:

- Job related and will help employees improve their performance in their current job or
- Required for a degree if employees are matriculated at a fully-accredited institution and their degree programs are directly related to their current job.

Employees who wish to apply for tuition reimbursement need to submit an application to Human Resources prior to enrolling in a class. Applications will be approved on a case-by-case basis depending upon the availability of funding. Human Resources will be responsible for allocating the funding among employees if multiple employees apply for funding in excess of the budget for that fiscal year. Human Resources will also be responsible for granting or denying applications, which will be based on whether the courses and/or degree programs are sufficiently job-related. The maximum amount that will be reimbursed is fifty (50) percent of the cost of tuition.

A minimum grade of a B- is required; grades below this will require repayment to the Clark for tuition expended or will not be reimbursed depending upon the initial financial arrangement. Reimbursements may be subject to federal and/or state taxes.

In the event payment is made in advance and a course is not satisfactorily completed, the employee's employment with the Clark ends before the completion of the course, or supporting documentation is not submitted within six weeks of the end of the course, the employee shall be required to reimburse the Clark for the full amount of tuition paid. A

repayment agreement to this effect is a required part of the tuition benefit application form and shall be executed by the employee before the Clark prepays any tuition. The Clark reserves the right to take other reasonable actions to secure repayment of any prepaid tuition.

XIV. Disclaimer/Acknowledgment

This Handbook describes the policies, procedures, practices and benefits of the Sterling & Francine Clark Art Institute (the “Clark”). This Handbook is designed to be a working guide for all Clark employees. This Handbook supersedes all previous Clark employee handbooks. Please read it and retain it for future reference.

The contents of this Handbook are only guidelines and cannot be viewed as creating a promise or contract by the Clark. The Clark has the right to decide that they may not be applied in some cases. The Clark also reserves the right at any time and without prior notification to amend or discontinue any of the policies, procedures, practices or employee benefits set forth in this Handbook. In the event that any question arises regarding the meaning of any provision of this Handbook, the Clark’s interpretation will govern.

Employment at the Clark is at will. Clark employees have the absolute right to resign at any time with or without cause or notice. Similarly, the Clark may terminate the employment relationship at any time, with or without cause or notice. Nothing contained in this Handbook should be interpreted as in any way limiting this at-will relationship.

I acknowledge that I have read and understand the preceding paragraphs. I also acknowledge that I have received a copy of this Employee Handbook, and that it is my responsibility to read it and become familiar with its contents.

Employee’s Signature _____

Employee’s Name _____

Date _____

APPENDIX A – FREEDOM FROM HARASSMENT AND DISCRIMINATION POLICY

The Clark is committed to treating its employees with dignity and respect, which includes a commitment to provide a working environment that is free from harassment and discrimination on account of age, ancestry, citizenship status, color, creed, disability, domestic partnership status, domestic violence victim status, familial status, genetic information, gender identity or expression or transgender status, marital status, military status, national or ethnic origin, political belief, pregnancy, race, religion, sex, sexual orientation, or any other characteristic protected by law (“protected status”). Inappropriate workplace behavior and unlawful harassment create conditions that are wholly inconsistent with this commitment and will not be tolerated.

To reinforce this commitment to a harassment- and discrimination-free working environment, we have developed a policy against harassment and discrimination and a reporting procedure for employees who have been subjected to or witnessed such behaviors. This policy applies to all work-related settings and activities, whether inside or outside the workplace, and includes Clark sponsored trips and Clark-related social events. Clark property (e.g., telephones, copy machines, facsimile machines, computers, mobile devices, and computer applications such as email, social media, and Internet access) may not be used to engage in conduct that violates this policy. This policy also covers employees and other individuals who have a relationship with the Clark including, but not limited to, directors, officers, trustees, patrons, and customers.

Because the intent of this Policy is to deter conduct that is unwanted, unreasonable, and demeaning, the Clark may consider an employee’s conduct to be in violation of this Policy even if it falls short of unlawful harassment under applicable law. When determining whether conduct violates this Policy, we consider whether a reasonable person could conclude that the conduct created an intimidating, hostile, degrading, or demeaning environment. The purpose of the policy set forth below is not to regulate the personal morality of our employees, but to foster a work environment that is free from all forms of harassment. All employees at the Clark can and are expected to help assure that our workplace is free from prohibited discrimination or harassment. Everyone is expected to avoid any behavior or conduct that could reasonably be interpreted as prohibited harassment.

“I was joking” or “I didn’t mean it that way” are not defenses to allegations of harassment. Neither is being under the influence of alcohol or other substances. This Policy applies to conduct at work and at Clark-related social events, Clark parties, off-sites, and other related entertainment events. Employees are expected to be particularly careful about what they say and do in these circumstances.

No employees are exempt from the requirements of this policy.

Discriminatory Harassment Prohibited

Discriminatory harassment, including sexual harassment, will not be tolerated by the Clark. This policy applies to all harassment occurring in the work environment, whether on Clark premises or in any Clark-related setting and applies regardless of the gender and/or sex of the individuals involved. This policy covers all employees of the Clark, including applicants for employment and third parties over whom the Clark has control, to the extent that it affects the work environment or interferes with the performance of work.

Sexual Harassment Defined

Sexual harassment is a form of illegal sexual discrimination that includes unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature. This definition encompasses many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser.

Sexual Harassment includes sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Such conduct may constitute sexual harassment when it:

1. Is made explicitly or implicitly;
2. Is made an explicit or implicit condition of employment;
3. Is used as the basis for employment decisions;
4. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
5. Has the purpose or effect of creating an intimidating, hostile or offensive working environment.

Harassment also includes sexual advances, requests for sexual favors, and other verbal or physical conduct, when submission or rejection becomes the basis for employment decisions or a term or condition of employment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as a favorable review, pay increase, promotion, training, increased benefits, favorable hours or threats concerning continued employment constitutes sexual harassment. In addition, any sexually oriented conduct, intended or not, that has the effect of creating a workplace environment that is hostile, offensive, intimidating or humiliating to workers of any gender may also constitute sexual harassment.

While it is not possible to list all the additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which may constitute sexual harassment depending upon the circumstances, including the severity of the conduct and its pervasiveness:

1. Offering employment benefits in exchange for sexual favors;
2. Sexual advances or propositions, whether or not they involve physical contact;
3. Retaliating or threatening retaliation after a negative response to sexual advances;
4. Sexual epithets, jokes, written or verbal references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
5. Leering, staring, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
6. Inquiries into one's sexual experiences;
7. Discussion of one's sexual activities;
8. Repeated sexual flirtations, advances or propositions;
9. Verbal abuse of a sexual nature, making or using derogatory comments, epithets, slurs, jokes, sexually related comments, graphic or degrading comments about an employee's appearance, sexually degrading words used to describe an individual, suggestive or obscene notes, emails, letters or invitations;
10. Displaying sexually suggestive objects, texts, emails or pictures including cartoon and vulgar email messages; and
11. Any uninvited physical contact or touching, such as patting, pinching, assault, blocking movements or repeated brushing against another's body.

Such conduct may constitute sexual harassment regardless of whether the conduct is between members of management, between management and employees, between employees, or directed at employees by non-employees conducting business with the Clark, regardless of gender.

An act may be sexual harassment regardless of the sexual desire, sexual orientation, or intent of the harasser. The above list of examples is not intended to be all-inclusive. Care should be taken in informal business situations, including Clark parties and business trips.

Other Harassment Defined

For purposes of this policy, other harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their protected status and that:

- Creates an intimidating, hostile, or offensive work environment or
- Unreasonably interferes with an individual's work performance.

Some examples of such harassment are: using epithets or slurs; mocking, ridiculing or mimicking another's culture, accent, appearance, or customs; threatening, intimidating, or

engaging in hostile or offensive acts that focus on an individual's protected status, including jokes or pranks; the displaying on walls, bulletin boards or elsewhere on Clark premises, or circulating in the workplace, of written or graphic material that denigrates or shows hostility or aversion toward a person or group because of protected status. The above list of examples is not intended to be all-inclusive.

Harassment by Non-Employees

The Clark will also endeavor to protect employees, to the extent possible, from reported harassment by non-employees in the workplace, including customers, patrons and vendors.

Electronic Harassment

All harassment as defined by this Policy is prohibited, and this policy and the definition contained within it apply equally to any harassment that takes place via electronic means. Using electronic communication, including but not limited to, sending sexually suggestive/explicit messages and pictures via email, text messages, and other social networking sites is strictly prohibited, regardless of whether the messages are sent during or outside of working time, inside or outside of the office. Similarly, disseminating harassing or sexually explicit voicemail, email, graphics, downloaded material or websites in the workplace is specifically prohibited.

Supervisor's Accountabilities

Additional rules apply to individuals with supervisory authority at the Clark. No one with a supervisory role may at any time: (1) threaten or imply that an individual's submission to a sexual advance, or harassment or discrimination based on any other protected category, will influence any decision regarding employment, performance evaluation, advancement, compensation, assignments, discipline, or any other term or condition of employment; or (2) make any employment decision concerning an individual on any discriminatory basis. All managers and supervisors who receive a complaint or information about suspected sexual harassment or any other violation of this Policy, observe what may be sexually harassing or other discriminatory harassing behavior or for any reasons suspect that sexual harassment or any other discriminatory harassment is occurring, are required to report any complaint that they receive, or any harassment or other violation of this Policy that they observe to Human Resources.

In addition to being subject to discipline for engaging in sexually harassing or other discriminatory harassing conduct themselves, supervisors and managers will be subject to discipline for: (1) failing to report sexual harassment or other discriminatory harassment; (2) otherwise knowingly allowing sexual harassment or other discriminatory harassment to continue; (3) engaging in any retaliation.

Consensual Relationships

Consensual romantic and/or sexual relationships between an employee with supervisory authority and any subordinate, including one not directly under the supervisor, will compromise the Clark's ability to enforce its policy against sexual harassment.

Consequently, if such relationships arise, they will be considered carefully by the Clark, and appropriate action will be taken. Such action may include a change in the responsibilities of the individuals involved in such relationships, or transfer positions to diminish or eliminate the supervisory relationship and workplace contact that may exist. Any supervisory employee involved in such a relationship is required to report the relationship to their supervisor, and to Human Resources.

Reporting Discrimination and Harassment

If you believe that you or another individual has been subjected to any conduct of the type prohibited by this Policy, you are urged and expected to report the relevant facts promptly. Employees should ordinarily direct such reports to Human Resources or, alternatively, employees may direct reports to the Chief Financial Officer or the Deputy Director. Employees should choose whichever of these individuals they feel more comfortable contacting under the circumstances. Employees may choose to report orally or in writing.

Employees should report the conduct regardless of the offender's position at the Clark and should also report the conduct even if the offender is not employed at the Clark (for example, a vendor or consultant). Prompt reporting is very important so that the Clark can take action to stop the conduct before it is repeated.

Investigation and Resolution

All reports will be followed up promptly, with further investigation conducted where needed to confirm facts or resolve disputed facts. In conducting its investigations, the Clark will strive to keep the identity of individuals making reports as confidential as possible.

While the investigation process may vary from case to case, investigations will typically include the following steps: After receiving a complaint, Human Resources will conduct an immediate review of the allegations and may take interim actions as appropriate (e.g., instructing the individual(s) alleged to have violated this policy to refrain from communicating with the individual(s) alleged to have been subjected to conduct in violation of the policy). Human Resources will typically proceed by interviewing the individual(s) who submitted the complaint, the individual(s) alleged to have been subjected to conduct in violation of the policy, the individual(s) alleged to have violated this policy, and others identified by those individuals as witnesses or people with knowledge of the conduct at issue. Human Resources may also obtain, review and preserve documents, emails or phone records relating to the allegations. Any employee may be required to cooperate as needed in an investigation of any violation of this Policy.

As appropriate, the individual(s) who submitted the complaint, the individual(s) alleged to have been subjected to conduct in violation of the policy, and the individual(s) alleged to have violated this policy will be notified of the outcome of the investigation.

Individuals who violate this Policy will be subject to discipline and may also be subject to personal legal and financial liability under applicable law. Appropriate disciplinary action will also be taken against any employee who knowingly and willfully makes a false allegation concerning an alleged violation of this policy.

No Retaliation

Threats or acts of retaliation against individuals who report inappropriate conduct pursuant to this policy or provide information in connection with a report by another individual will not be tolerated. In the event you believe that you have been retaliated against for such action, you should use the above procedures to report the pertinent facts promptly. The Clark will investigate and take appropriate action in the manner described above.

This policy against retaliation includes a prohibition on retaliating against anyone who, in good faith complains or provides information about suspected sexual harassment. No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint (or testifies in or assists in any proceeding concerning sexual harassment). Any employee who retaliates against anyone involved in a sexual harassment investigation or proceeding will be subjected to disciplinary action, up to and including termination. All employees or other covered individuals who believe they have been subject to retaliation in violation of this policy should report their concern using the reporting procedures described above.

Although we hope to be able to resolve all complaints of harassment internally, employees also have the right to file a complaint with state or federal agencies. The contact information and filing deadlines are included below:

STATE AND FEDERAL AGENCY ADDRESSES:	TIME PERIOD FOR FILING A CLAIM:
The United States Equal Employment Opportunity Commission (EEOC) John F. Kennedy Federal Building 475 Government Center Boston, MA 02203 (800) 669-4000	300 DAYS
Massachusetts Commission Against Discrimination (MCAD) One Ashburton Place, Room 601 Boston, MA 02108 (617) 727-3990	300 DAYS
Massachusetts Commission Against Discrimination (MCAD) 436 Dwight Street, Second Floor, Room 220 Springfield, MA 01103 (413) 739-2145	300 DAYS
Massachusetts Commission Against Discrimination (MCAD) Worcester City Hall 455 Main Street, Room 100 Worcester, MA 06108 (508) 799-8010	300 DAYS
Massachusetts Commission Against Discrimination (MCAD) New Bedford Office 800 Purchase St., Room 501 New Bedford, MA 02740 (508) 990-2390	300 DAYS

APPENDIX B – TRAVEL POLICY

The Clark's travel policy is based on the IRS's requirements for travel and business-related expenditures. The IRS states that ordinary and necessary business-related expenses are deductible and reimbursable. To ensure compliance with the IRS, the Clark has prepared the following travel policy that applies to all Clark employees traveling on Clark business.

Airline Ticket

The Clark will reimburse the cost of airplane tickets in coach class only. An exception will be made for overnight flights, for which the Clark will reimburse economy-plus seats if reasonable. All efforts should be made to obtain the lowest coach fare available within reason. For electronic tickets, please request a receipt when obtaining boarding passes. When using a kiosk, the machine will print one if requested. If that is not possible, submit the web page printout or confirmation letter that is e-mailed to the employee AND the boarding pass for each leg of the trip. For paper tickets, please provide the last page of the airline ticket (passenger receipt) as receipt for the trip. It is important that documentation is submitted that shows the name of the person traveling, the destination, and the cost of the ticket.

Automobile

Mileage is reimbursable at the current I.R.S. reimbursable rate. To obtain mileage reimbursement, a travel voucher must be completed stating the destination and actual mileage traveled. A Google map or similar printout stating the mileage of the trip is required as documentation. Mileage reimbursement may never exceed the cost of available alternate transportation, i.e., the reimbursement for mileage cannot exceed the lowest train or airfare available. In cases where the employee elects to drive rather than travel by plane or train, the lower of the available alternatives will be reimbursed to the employee. Employees cannot request mileage reimbursement and charge for gas; the IRS mileage rate includes compensation for gas and depreciation.

Rental cars: You may rent a car only when it is required for daily use at the business destination or there is no less expensive means of transportation from the airport/train station to the business destination. If you rent a car for one week and use the car partially for business and partially for personal use, the weekly cost of the car must be prorated. Employees should rent a car of an appropriate size based on the number of employees traveling. Please investigate the fuel policy of the rental agency to avoid excessive refueling charges upon return of the automobile. Make sure you return your car with a full tank of gas.

Take the collision insurance from the rental agency. The Clark's commercial automobile policy will provide liability coverage that is secondary to the rental agency's primary

liability insurance. You do not need to purchase additional liability insurance from the rental agency.

If you are in an automobile accident while on Clark business, you must notify Human Resources immediately.

Lodging

The Clark will reimburse the actual cost for average accommodations up to the single occupancy rate. The IRS states that expenditures for lodging cannot be lavish or extravagant. Where reasonable, expenditures for accommodations may not be more than twenty-five (25) percent over the per diem rates provided by the federal government (see <https://www.gsa.gov/travel/plan-book/per-diem-rates> for domestic locations and https://aoprals.state.gov/web920/per_diem.asp for foreign locations).

A detailed itemized bill from the hotel must be submitted as supporting documentation for reimbursement. In addition, a detailed bill for any restaurant expenses charged to the room must be submitted.

Movies and other entertainment charged to the room will not be reimbursed. Health Club charges, golf, mini-bar and other personal services will not be reimbursed. When traveling with a companion the employee is responsible for any additional charges above single occupancy, including for any meals.

If an employee prefers to stay with friends, the reasonable cost of a gift or a meal in return for such hospitality is reimbursable. The cost of such gift or meal must be supported by a receipt and an explanation on the travel expense report. In no case should the cost of the meal or gift plus any additional transportation costs exceed the cost of standard hotel accommodations at the business destination, nor may a "cash payment" be made to the host. Transactions of this nature must be approved by Human Resources before the trip.

Meals, Gratuities, and Entertainment

The Clark will reimburse the reasonable and actual cost of meals, including gratuities, taken while on business. An itemized receipt must be provided for all meals. The IRS states that meals and entertainment expenses cannot be lavish or extravagant.

Tips on meals (approximately twenty (20) percent) are reimbursable and should be included as part of the cost of the meal on the travel expense report. Reasonable tips to bellhops, maids, etc. should be totaled and listed separately on the travel expense.

When dining or entertaining, the following documentation is required (regardless of the amount):

- List of attendees (self if alone)
- Description of business purpose, topics discussed
- The cost (supported by itemized receipt)
- The location
- The date
- Description of meal (i.e. lunch, dinner)
- Description of entertainment (i.e. theatre)

Alcohol

The cost of alcoholic beverages will not be reimbursed unless it is related to entertaining associates of the Clark such as donors or patrons.

WiFi

WiFi and out-of-network cellular data costs may be charged to the Clark when used to conduct Clark business. WiFi will be funded to enhance the employee's ability to work and attend to matters requiring their attention while traveling.

Advances

When absolutely necessary, advances for the estimated cost of a business trip are available. Advances may be made up to thirty (30) days before expenses are anticipated to be incurred. Requests should be made at least fourteen (14) days prior to the trip and the advance must be cleared within fourteen (14) days after returning from the trip. No new advance will be given until the previous advance is cleared.

Advances should only be requested when it is not possible to charge business expenses to a credit card or have the Clark billed directly. Advances should not be requested for small, miscellaneous amounts (i.e. cabs, tolls, etc.). Those expenses should be paid by the employee and reimbursed upon return from the trip.

To obtain a travel advance, complete the Travel Advance Request form on the Artranet and submit it to Human Resources.

Non-reimbursable expenses

- The following are costs which will NOT be reimbursed by the Clark:
 - Fines for parking or moving violation
 - Movies, health club fees, golf, other personal entertainment
 - Laundry services (if trip is less than five (5) days)
 - Lost or stolen personal property (including cash)
 - Costs incurred at home, such as childcare, pet care or lawn/home maintenance, cleaning services
 - Personal expenses such as haircut, toiletries, clothing, etc.

- Costs incurred due to unreasonable failures to cancel transportation or hotel reservations
- Companion expenses (including travel, meals and additional driver costs on rental cars)
- Life, flight or baggage insurance
- Excess baggage charges for personal items (i.e. golf clubs, skis)
- Unnecessarily excessive costs (i.e. very expensive restaurants or exclusive hotels) not warranted by the circumstances. The IRS states that expenditures for meals/lodging cannot be lavish or extravagant
- Charitable or political contributions
- Mini-bar items
- Alcohol not in connection with entertaining associates of the Clark such as donors or patrons
- Snacks, gum, mints, personal reading material
- Excess baggage or heavy weight charges if due to personal items.

Note: This list is not meant to be all-inclusive. Other items may be deemed non-reimbursable upon review.

Travel expense report

To obtain reimbursement for out of pocket travel expenses, complete the Travel Reimbursement Form on the Artranet. Travel reimbursement forms must be completed within fourteen (14) days of the return date of your trip and submitted with the required documentation to Human Resources. Small receipts must be taped onto one page and attached to the travel reimbursement form. This eliminates the possibility of a lost receipt and reduces the cost of archiving supporting documentation. The completed form with appropriate approval signatures should be submitted to Human Resources. When a refund is due to the Clark, a check must be attached to the travel form. When a refund is due to the employee, a check will be generated within fourteen (14) days of receipt of the travel reimbursement form.

APPENDIX C – ELECTRONIC COMMUNICATIONS—APPROPRIATE USE POLICY

The Clark provides electronic media and services for effective and efficient job performance. As with all other forms of Clark property, they are primarily for Clark business and not for personal use. While occasional use for personal, non-business purposes is acceptable, abuse of the privilege is not. The Clark reserves the right to deem material appropriate.

Employees using Clark networks and equipment for personal purposes do so at their own risk and should not consider any material on these systems to be private. Even erased or deleted material may remain available. The system must not be used to communicate improper messages; i.e., messages that are defamatory, derogatory, obscene, or otherwise inappropriate.

The Clark reserves the right to look at, listen to, or use anything on its systems, and to bypass any pass code. To ensure that the use of electronic and telephonic communications systems and business equipment is consistent with the Clark's legitimate business interests, authorized representatives of the Clark may monitor the use of its systems, at any time, with or without notice, and notwithstanding a pass code.

There are certain unacceptable uses of Clark provided media, equipment and systems. These include but are not limited to:

- Unauthorized access or attempts to access any computer systems (files, hardware, or software applications);
- Telephone, or security system for which you have not been granted access
- Use for profit-making activities;
- Installing software, hardware, or network devices not authorized by the Clark;
- Theft, including licensure and copyright violations;
- Annoyance or harassment;
- Surfing or downloading any inappropriate information; and
- Deliberate attempts to destroy, alter, or degrade services on computers, network, or file systems.

Information Services will approve removal of hardware, software, files, or data from the Clark's premises.

APPENDIX D – SOCIAL MEDIA POLICY

The Clark recognizes that the internet provides unique opportunities to participate in interactive discussions and share information on topics using a wide variety of social media, such as Facebook, LinkedIn, Twitter, Instagram, Pinterest, Tumblr, blogs, and wikis. However, employees' use of social media can pose risks to the Clark's confidential and proprietary information and reputation, can expose the Clark to discrimination and harassment claims, and can jeopardize the Clark's compliance with laws.

To minimize these risks, to avoid loss of productivity and distraction from employees' job performance, and to ensure that the Clark's IT resources and communications systems are used appropriately as explained below, the Clark expects its employees to adhere to the following guidelines and rules regarding social media use.

Compliance with Related Policies and Agreements

Social media should never be used in a way that violates any of the Clark's other policies or employee obligations. If your social media activity would violate any of the Clark's policies in another forum, it will also violate them in an online forum. For example, employees are prohibited from using social media to:

- Violate the Clark's IT resources and electronic communications systems policies;
- Violate the Clark's confidentiality and proprietary rights policies;
- Circumvent the Clark's ethics and standards of conduct policies;
- Engage in unlawful harassment;
- Circumvent policies prohibiting unlawful discrimination against current employees or applicants for employment; or
- Violate any other laws or ethical standards (for example, never use social media in a false or misleading way, such as by claiming to be someone other than yourself or by creating an artificial "buzz" around the Clark).

Other Prohibited Conduct

Employees should also never provide references or recommendations for Trustees or other employees on social or professional networking sites, as such references or recommendations can be attributed to the Clark and create legal liability for employees and the Clark (such as interference with prospective business contracts and allegations of wrongful termination).

Only the Director and designated members of the Clark staff are authorized to speak on behalf of the Clark on social or other media platforms. Employees who have not been given permission to represent the Clark should not post any statements or messages concerning the Clark on any social media platform.

Employees are welcome to share information and/or images of events/activities at the Clark on their own social media platforms, but should always disclose that they are employees of the Clark when promoting the Clark on their personal social media platforms or on any other platforms.

Employees are prohibited from posting any photos taken of private areas of the Clark's facilities without obtaining advance permission from the Communications Department.

Personal Use of Social Media

Employees should not engage in personal social media use via the Clark's electronic communications systems. If an employee posts on a social media site in his or her personal capacity while identifying as an employee of the Clark, the employee should make it clear that the employee is expressing his or her own views and not those of the Clark. If you need further guidance regarding appropriate communications, please consult with Human Resources.

No Expectation of Privacy

All contents of the Clark's IT resources and communications systems are the property of the Clark. Therefore, employees should have no expectation of privacy whatsoever in any message, files, data, document, telephone conversation, social media post, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on the Clark's electronic information and communications systems.

You are expressly advised that in order to prevent misuse, the Clark reserves the right to monitor, intercept, and review, without further notice, every employee's activities, including but not limited to social media postings and activities, and you consent to such monitoring by your acknowledgment of this policy and your use of such resources and systems.

The Clark also may store copies of such data or communications for a period of time after they are created and may delete such copies from time to time without notice.

Business Use of Social Media

If you are required to use social media as part of your job duties, for the Clark's marketing, public relations, recruitment, corporate communications, or other business purposes, you should carefully review the Clark's Confidential and Proprietary Information portion of this Handbook. Note that the Clark owns all social media accounts used on behalf of the Clark or otherwise for business purposes. The Clark owns all such information and content regardless of the employee that opens the account or uses it and will retain all such information and content regardless of separation of any employee from employment with the Clark. Likewise, if you are contacted for comment about the Clark for publication,

including in any social media outlet, refer the inquiry to the Director of Communications, and do not respond without receiving approval to do so.

Respect Others

In addition to complying with the Clark's mandatory Freedom from Discrimination and Harassment Policy, do not post, or express a viewpoint on another's post, such as by "liking" a Facebook post, anything that the Clark's customers, clients, business partners, suppliers, or vendors would find offensive, including ethnic slurs, sexist comments, discriminatory comments, profanity, abusive language, or obscenity, or that is maliciously false.

Conduct Not Prohibited by This Policy

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities or activities protected by state or federal law, including the National Labor Relations Act, such as discussing wages, benefits, or other terms and conditions of employment, forming, joining or supporting labor unions, bargaining collectively through representatives of their choosing, raising complaints about working conditions for their own and their fellow employees' mutual aid or protection, or legally required activities.

This policy is not intended to restrict communications or actions protected or required by state or federal law.

APPENDIX E – FAMILY AND MEDICAL LEAVE POLICY

Eligibility

All full- and part-time employees who have been employed by the Clark for at least twelve (12) months, not necessarily consecutively, and have worked a minimum of 1,250 hours during the immediately preceding twelve (12) months, are eligible for a leave of absence under this policy.

Policy Statement

In accordance with the Family and Medical Leave Act of 1993 (FMLA) the Clark will grant FMLA-eligible employees up to twelve (12) weeks of unpaid leave during any twelve-month period for any of the following reasons: 1) to care for the employee's child within one (1) year of birth, adoption, or the initiation of foster care; 2) to care for a child, spouse, or parent with a serious health condition; or 3) because the employee's own serious health condition makes the employee unable to perform their job. In all cases, the twelve (12) month period shall be a "rolling" twelve (12) month period measured backward from the date an employee uses FMLA leave.

Family leave, i.e., leave for childbirth, adoption, or foster care, must be taken and completed within one (1) year of the birth, adoption, or the initiation of foster care. Such leave ordinarily must be taken all at once unless the employee's supervisor agrees to an alternative leave arrangement that satisfies the operational needs of the Clark.

Medical leave, i.e., leave for the serious health condition of an employee or the employee's relative, may be taken whenever medically necessary. Depending on the circumstances, medical leave may be taken all at once, intermittently, or on a reduced leave basis. However, if the employee's need for intermittent leave or leave on a reduced basis is foreseeable based on planned medical treatment, the employee must make a reasonable effort to schedule the treatment in a way that will minimize disruptions to the Clark's operations. The Clark may, with justifiable cause, ask an employee to modify their treatment schedule in order to better accommodate the Clark's needs.

Family Military Qualifying Exigency Leave

Leave is also available for FMLA-eligible employees that must attend to a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is on covered active duty or has been notified of an impending call or order to covered active duty in the Armed Forces. The leave may commence as soon as the individual receives the call-up notice. Son or daughter for this type of FMLA leave is not limited to minor children as for other types of FMLA leave. "Military Duty" also includes a family member's active duty in the National Guard or Reserves in support of a contingency operation.

FMLA Military Caregiver Leave

FMLA-eligible employees who are the spouse, child, parent, or next of kin of a covered servicemember are entitled to up to fourteen (14) weeks of additional leave during a single twelve (12) month period (for a total of twenty-six (26) weeks if combined with other FMLA leave), to care for the covered servicemember in the event the servicemember incurred a serious injury or illness in the line of active duty in the Armed Forces. Next-of-kin is defined as the closest blood relative of the injured or recovering servicemember. An employee is also eligible for this type of leave when the family servicemember is receiving medical treatment, recuperation or therapy even if the servicemember is on temporary disability retired list.

No more than twenty-six (26) weeks of leave may be taken in a single twelve (12)-month Servicemember Period, and no additional extended leaves may be taken in other years for the same injury or illness. Available leave not taken during the twelve (12)-month Servicemember Period, which begins on the first day leave is taken, will be forfeited.

Military Caregiver Leave extends to spouse, parent, child, or next of kin veterans who were members of the Armed Forces (including the National Guard or Reserves) at any point in time within five (5) years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy.

Limits on FMLA for Employee Spouses

When both spouses are employed by the Clark, they are entitled to a combined total of twelve (12) or twenty-six (26) weeks of FMLA leave in a twelve (12)-month period (as applicable, based on the purpose of the leave). However, each spouse may take a total of up to twelve (12) weeks of leave in a twelve (12)-month period for the employee's own serious health condition.

Employee Notice Requirements

If an employee's need for FMLA leave is foreseeable, the employee must provide their supervisor with at least 30 days advance verbal notice before the leave can begin, or as much notice as is practicable under the circumstances. Such notice should include the employee's reason for requesting leave as well as its anticipated timing and duration.

If an employee's need for FMLA leave, or its approximate timing, is not foreseeable, the employee is expected to give their supervisor notice as soon as possible under the circumstances.

Medical Certifications Requirement

Any employee requesting a medical leave, either to care for a sick relative or because of the employee's own medical condition, must provide a doctor's statement supporting the employee's need for leave within fifteen (15) days after requesting leave. Employees

should contact Human Resources as soon as their need for a medical leave is determined to obtain the Medical Certification form.

A doctor's statement may be requested monthly, depending on the nature of the serious health condition, while an employee is on medical leave in order to certify the employee's continuing need for leave. A doctor's statement also may be required if an employee requests an extension of leave, or if there is a significant change in circumstances related to the employee's need for leave.

As a condition of returning to work, an employee who has been on medical leave must present a doctor's statement certifying that the employee is well enough to resume work. A medical certification also will be required in any case where an employee on FMLA leave represents that they are unable to return to work for medical reasons.

Status of Compensation and Benefits while on FMLA leave

FMLA leave will be without pay except when an eligible employee uses accrued sick, vacation, or personal time to qualify for compensation during leave or is eligible for prolonged sick leave or long-term disability leave pay.

The Clark will maintain an employee's health insurance coverage for the duration of the employee's FMLA leave as though the employee were continuously employed. The Clark will continue to pay its portion of the employee's health insurance premiums provided that the employee pays their contributory portion on a timely basis. Employees requesting leave should contact Human Resources to arrange an acceptable payment schedule.

The Clark will maintain and pay its portion of the premiums for other benefits during FMLA leave, including life and disability insurance, provided that the employee pays their contributory portion on a timely basis.

Return to Work

An employee on FMLA leave is expected to report periodically to the employee's supervisor on their status and intent to return to work.

The Clark will make every effort to restore all employees on leave to their original or equivalent positions with equivalent pay, benefits, and other employment terms. However, it may be necessary to deny restoration to certain highly compensated "key employees" in order to avoid substantial and grievous economic injury to the Clark's operations. Human Resources will notify any employee who qualifies as a "key employee," and thus might be denied restoration, as soon as possible after the employee requests leave.

Retaliation

The Clark will not retaliate against any employee based on their legitimate use of or request to use Family and Medical Leave under this policy.