



HOBART AND WILLIAM SMITH  
COLLEGES

*BENEFITS*

*AND OTHER INFORMATION*

*FOR*

*PART-TIME  
EMPLOYEES*

2023

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## **INTRODUCTION**

### **Purpose**

The purpose of this publication is to give you an overview of Hobart and William Smith Colleges' benefit policies and plans and other valuable employment information. Please read and retain it for future reference.

The benefit policies and plans summarized in this publication are guidelines only. This publication is not a contract, expressed or implied, guaranteeing any employment rights or obligations. The Colleges retain the right to supplement, modify, amend or eliminate the policies and plans. Every effort has been made to make these descriptions as brief, accurate and easy to understand as possible. Therefore, all details may not be described here. If there is a difference between the information in this publication and the official plan documents, the official plan documents will govern. For more specific information, please contact the Office of Human Resources.

### **Eligibility**

All part-time administrative salaried or hourly paid employees who are otherwise ineligible for the full benefit package available at the Colleges are eligible for certain legally mandated benefits and other benefits.

## **LEGAL CONDITIONS RELATING TO EMPLOYMENT**

### **Employment Eligibility Verification (Form I-9)**

In accordance with the Immigration and Nationality Act (INA), the Colleges will only hire and continue to employ U.S. citizens, nationals, and aliens authorized to work for the Colleges. The INA provides that all employers, regardless of size, must verify both employment eligibility and the identity of all individuals hired after November 6, 1986.

Form I-9 (Employment Eligibility Verification Form) has been designated by the Immigration and Naturalization Service (INS) as the form to be used by employers to document compliance with the INA's verification requirements. The Colleges must ensure that a Form I-9 is properly completed for every employee hired after November 6, 1986. Section 1 of Form I-9 must be completed on the date of hire. Section 2 of Form I-9 must be completed within three business days inclusive of the date of hire. Only original documents will be accepted for verification purposes. Such documents must be provided to a member of the Human Resources staff or to an individual authorized in writing by the Vice President for Human Resources. Please contact the Office of Human Resources for a list of approved documents.

The Colleges will not request more or different documents than are required in order to complete the Form I-9. The Colleges will honor documents tendered that on their face reasonably appear to be genuine, relate to the employee, and that are acceptable for meeting Form I-9 requirements.

The Colleges do not discriminate against aliens authorized to work for the Colleges when making hiring and discharge decisions on account of a protected individual's citizenship status or an individual's national origin. The Colleges will not intimidate or retaliate against any individual because that individual, in relation to the INA nondiscrimination provisions described above, (1) intends to or has filed a complaint or (2) assists with an investigation or hearing.

Hiring department chairs and/or managers should work with the Vice President for Human Resources to obtain appropriate visa status in cases where the candidate is a non-U.S. citizen.

## LEGAL CONDITIONS RELATING TO EMPLOYMENT

### Income Protection

- **Short Term Disability Benefit**

The Colleges provide short-term disability coverage that is consistent with the requirements of New York State Disability Law (NYSDBL). Under NYSDBL, employees may be eligible for partial salary/wages if they cannot return to work after seven consecutive calendar days due to illness or non-work related injury, are under the care of a physician, and have been employed by the Colleges for at least four weeks.

Payment of benefits begins on the eighth calendar day of medically certified illness or injury and runs for up to a maximum of 26 weeks. The weekly benefit is equal to 50% of the employee's normal regular weekly earnings up to the maximum statutory weekly benefit of \$170. An individual may have multiple periods of disability in a 12-month period, subject to certain restrictions, though the sum total of the periods of disability may not exceed 26 weeks in any 12-month period.

As long as an employee is receiving the above disability benefits, they shall continue to accrue seniority.

In order to be eligible for any of the above benefit, an individual must meet the NYS eligibility requirement and file a disability claim with the Office of Human Resources *before* the scheduled procedure begins (where advance knowledge is reasonable) or as soon after the injury or onslaught of illness as possible. If claim forms are not received in a timely fashion, there may be a lag in time between the end of regular salary payments and the start of disability benefit payments. Further, some or all of the benefits described above may be forfeited if the claim form is delayed for too long.

- **Workers' Compensation**

Mandated by New York State, workers' compensation coverage is provided for all employees of the Colleges, both full- and part-time. Coverage is consistent with the scope of NYS Workers' Compensation Law generally applies to injuries and illness occurring at work and in the course of one's duties.

Individuals compensated under this policy are not eligible for New York State disability coverage for the duration of the workers' compensation claim.

The above is a summary only. Coverage is offered through an insurance policy. A copy of the insurance policy is available for viewing at the Office of Human Resources.

Any medical expenses incurred as a result of the illness or injuries, including examinations mandated by the Colleges, are generally covered in full.

All injuries that occur while working anywhere on or off campus, while in an official capacity must be reported immediately to the Office of Human Resources.

### **New York State Paid Family Leave**

New York's Paid Family Leave (PFL) program provides job protected leave and wage replacement to eligible Hobart and William Smith Colleges' employees when qualifying conditions require a leave of absence.

HWS staff who regularly work 20 or more hours per week and be employed for at least 26 consecutive workweeks preceding the first full day PFL is taken; or regularly work less than 20 hours per week and be employed for at least 175 days preceding the first full day PFL is taken.

Qualifying Leave - There are three different types of qualifying paid family leaves:

The first is a *Serious Health Condition* - to participate in providing care, including physical or psychological care, for a staff member's spouse, child, parent, grandchild, grandparent, or domestic partner with a serious health condition.

The second is *Bonding* - to bond with a new child during the first 12 months after the child's birth, adoption or foster care placement with the staff member, their spouse, or their domestic partner.

The third is a *Qualifying Exigency* - due to a qualifying exigency for the staff member's spouse, domestic partner, child, or parent who is on active military duty or has been notified of an impending call to active duty.

Employees can refer to the NYS Paid family leave website to access more specific information and to access an application to apply. <https://www.ny.gov/new-york-state-paid-family-leave/paid-family-leave-information-employees>.

### **New York State Paid Sick Leave**

As of January 1, 2021, all non-benefits eligible administrative staff employees are eligible for NYS paid sick leave. Sick leave may be taken in half-hour increments. Sick leave may be carried over year to year but any unused time will not be paid out upon separation of employment from the Colleges. Sick leave does not accrue during any time period not worked. The maximum number of paid sick leave available per calendar year is 56 hours. All employees should submit their sick time using the same time reporting process they currently use for regular time worked. Sick time is accrued at 1 hour for every 30 hours worked up to 56 hours per calendar year.

More details on the NYS Paid Sick Leave can be found at <https://www.ny.gov/new-york-paid-sick-leave/new-york-paid-sick-leave>

### **Permitted Use of HWS & NYS Paid Sick Leave**

Sick Leave may be granted,

- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care; or
- When the employee is incapacitated and unable to perform duties by sickness, injuries, or would jeopardize the health of others by his/her presence at work because of exposure to illness; or
- When the employee is required to give care and attendance to a member of their immediate family (as defined in the Benefits Handbook) who is sick or injured and in need of medical attention.

Sick leave may also be granted as a Safe Leave for the following reasons,

- For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
  - to obtain services from a domestic violence shelter, rape crisis center, or other services program;
  - to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
  - to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
  - to file a complaint or domestic incident report with law enforcement;
  - to meet with a district attorney's office;
  - to enroll children in a new school; or

- to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

## **VOLUNTARY CONTRIBUTORY BENEFITS**

### **Hobart and William Smith Colleges Tax Deferred Annuity (TDA) Plan**

All part-time administrative employees are eligible to participate with the Colleges' TDA retirement plan. Your contributions to the plan are made through payroll deduction and may be invested with Transamerica.

The contributions you make to the plan will add to the financial security you can build with Social Security and your personal assets. You can choose to pay no income tax on the money you contribute to the plan until withdrawal. In addition, investment earnings accumulate tax free until withdrawal.

- **How much you can contribute to the plan(s)**

Each year, the IRS permits deferrals up to certain limited amounts. In 2023, the general deferral limit is \$22,500. In addition, the tax law provides a "catch-up" provision for those 50 years of age or older (2023=\$7,500).

For example, effective January 1, 2023, the maximum amount most people are permitted to defer into one or more 403(b) plans is \$22,500 per calendar year. If you are or become 50 years old in 2023, you are permitted to defer an additional \$7,500 a calendar year into your retirement account. Total possible maximum contribution in 2023 for an individual could be \$30,000.

Please contact Human Resources for more information, or for a "Salary Reduction Agreement" form (you may download the form from the HR Forms page on the HR website).

### **Your Rights Under ERISA**

If you are a participant of the Colleges' Tax Deferred retirement benefit plan described in this publication, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan participants shall be entitled to:

- Receive information about your plan and benefits.
- Examine, without charge, at the plan administrator's office, and at other specified worksites, all plan documents — including pertinent insurance contracts, trust agreements, collective bargaining agreements, annual reports, and other documents filed with the Internal Revenue Service or the U.S. Department of Labor, and available at the Public Disclosure Room of the Pension and Welfare Benefit Administration.
- Obtain copies of all plan documents and other plan information, including insurance contracts and collective bargaining agreements, and copies of the latest annual report, and updated summary plan description, by writing to the plan administrator. The plan administrator may make a reasonable charge for copies.
- Receive a summary annual report of the plan's financial activities. The plan administrator is required by law to furnish each participant with a copy of this summary annual report.

### **Prudent Actions by Plan Fiduciaries**

In addition to creating rights for plan participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate your plan, called "fiduciaries" of the plan, have a duty to do so prudently and in the interest of you and other plan participants, and beneficiaries. No one, including your employer, or any other person, may fire you, or

otherwise discriminate against you in any way to prevent you from obtaining a plan benefit or exercising your rights under ERISA.

### Enforce Your Rights

If your claim for a plan benefit is denied or ignored, in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain time schedules.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request a copy of plan documents or the latest annual report from the plan, and do not receive them within 30 days, you may file suit in a federal court. In such a case, the court may require the plan administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the plan administrator.

If you have a claim for benefits, which is denied or ignored, in whole or in part, you may file suit in a state or federal court. In addition, if you disagree with the plan's decision or lack thereof concerning the qualified status of a domestic relations order or a medical child support order, you may file suit in federal court. If it should happen that plan fiduciaries misuse the plan's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in a federal court. The court will decide who should pay court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous.

### Assistance With Your Questions

If you have any questions about your plan, you should contact the plan administrator. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the plan administrator, you should contact the nearest office of the Pension and Welfare Benefits Administration, U. S. Department of Labor, listed in your telephone directory, or the Division of Technical Assistance and Inquiries, Pension and Welfare Benefits Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Pension and Welfare Benefits Administration.

## **OTHER INFORMATION**

### Athletic Facilities

All regular on-going part-time administrative staff members may use the athletic facilities of the Colleges without charge provided that the use does not interfere with physical education classes, intramural and intercollegiate sports and other scheduled student athletic activities. The Bristol Field House provides an inside track, basketball and tennis courts, squash and racquetball courts, a fitness center and locker room facilities. A swimming pool is located in the Bristol Gymnasium.

If eligible, a HWS OneCard (employee identification card) will be issued to the employee in order to prove use eligibility. Non-eligible part-time employees and regular employees' family members who wish to use the Bristol Field House and/or Gymnasium should contact the Director of the Recreation, Intramurals and Fitness for annual fee information.

### College Bookstore Discount

All administrative employees issued an HWS OneCard receive a 10 percent discount on purchases, excluding sale items, at The College Store.

### **Liberty Mutual Insurance Discount Programs**

Liberty Mutual offers discounts for eligible employees on home and auto insurances. You pay the full costs and these costs may be payroll deducted.

### **Lost and Found**

Items found on the campus should be turned in promptly to the Campus Safety Department.

### **New York State's 529 College Savings Program**

The Colleges allows for direct deposit contributions into your 529 savings account. New York's 529 College Savings Program *Direct Plan* provides a flexible, convenient, and low-cost way to save for college. The Program features a wide range of investment choices, tax-free withdrawals when used for qualified higher-education expenses\*, and contributions that are tax-deductible (up to certain limits\*\*) for New York State residents.

You can save for a child, grandchild, friend -- or even yourself. And the Program includes a valuable opportunity to accelerate your college savings through *Upromise* rewards -- a free service that returns a percentage of your spending at hundreds of America's leading companies and can transfer that money directly to your Program account.

### **Verizon, AT&T and Sprint Employee Discounts**

Verizon Wireless, AT&T and Sprint offers discounts to Hobart and William Smith employees ranging from 19% off eligible plans and 25% off all accessories and great savings on phones.

## **SEPARATION FROM EMPLOYMENT**

Part-time administrative employees may be separated from employment by retirement, voluntary resignation, or termination.

Employees desiring to separate voluntarily from their employment with the Colleges are encouraged to submit their resignation in writing to their immediate supervisor at least 30 days but no less than 14 calendar days prior to the last day on the job. A copy should be forwarded to Human Resources. An employee's last day must be a regularly scheduled work shift.

All Colleges' property (library books, keys, equipment, HWS OneCard, etc.), in the part-time administrative employee's possession must be returned to your supervisor upon separation from employment.

*The purpose of this publication is to give you an overview of Hobart and William Smith Colleges' benefit policies and plans and other valuable employment information in effect as of January 1, 2018 or as otherwise indicated. Please read and retain it for future reference.*

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