



**ADMINISTRATIVE EMPLOYEES' MANUAL  
HUMAN RESOURCES OFFICE  
UNIVERSIDAD CENTRAL DE BAYAMON**

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## **INTRODUCTION**

The Dominican Fathers arrived on the island in the 16th century, initiating their educational work through seminaries and houses of formation. In the opinion of some historians, they were responsible for the first university in America established in what is now the headquarters of the Institute of Puerto Rican Culture.

Universidad Central de Bayamón, (hereinafter UCB or Institution), is a non-profit Institution founded in 1961 by the Dominican Fathers as a two (2) year Regional College of the Catholic University of Puerto Rico, today Pontifical Catholic University of Puerto Rico. Until 1970 it was an Institution that granted associate degrees and offered first and second-year courses and some restricted third-year University courses, all transferable to the main campus or any other Institution that offered the baccalaureate degree in four years. On April 15, 1970, the Board of Trustees of the Universidad Central de Bayamón unanimously decided to obtain autonomy and independent accreditation for the Institution and, to that effect, it was approved to approach the Council of Higher Education to initiate the corresponding procedures.

On September 3, 1970, a document was signed between the Middle States Commission on Higher Education (regional accrediting agency), the Catholic University of Puerto Rico, and Universidad Central de Bayamón, officially recognizing the independence of Universidad Central de Bayamón, Inc. During its more than fifty (50) years of history, Universidad Central de Bayamón has graduated a substantial number of men and women who have obtained higher degrees at other institutions and currently occupy positions of distinction in private industry and government within and outside of Puerto Rico.

## **FIRST CHAPTER**

### **ARTICLE 1 – MISSION**

Following the spirit of St. Thomas Aquinas and inspired by the multi-secular charism of the Order of Preachers, the community of the Central University of Bayamon has the mission to promote the integral development of its students through an education of academic excellence that forms them as professionals and leaders who, with a high social commitment, build a cultural, scientific-technological and entrepreneurial world based on the evangelical values of Christian humanism.

In the fulfillment of its university purposes -research, teaching, and service, among others- the Institution fosters the integral development of human beings in their spiritual, community, professional, academic, and cultural dimensions. This development is carried out from a humanistic and Christian perspective, organically integrating human knowledge, social commitment, and the Gospel message. The harmonious communion between faith, life and culture is nourished by an interdisciplinary dialogue, according to the teachings of St. Thomas Aquinas and the Dominican multi-secular tradition.

### **ARTICLE 2 - VISION**

The Universidad Central de Bayamón is projected as an original center of the humanistic-Christian formation and social transformation that, through its cutting-edge academic programs, student-centered educational processes, and a quality of university life, will provide that professional training that responds to the main needs of service in social, cultural, economic and ecclesial institutions, in tune with the state of knowledge, technological advances and the values of the Gospel.

In this vision, the dialogue between faith, life, and culture will be emphasized as a commitment that is especially incumbent on the faculty and that contributes to the ongoing process of Christian maturity. The academic offerings will respond

to the main needs of service in the economy and in social institutions, in tune with the state of knowledge and technological advances. In addition, UCB will be a privileged space to cultivate formal theological formation, Christian entrepreneurship, and the training of pastoral agents.

### ARTICLE 3 - INSTITUTIONAL VALUES

Universidad Central de Bayamón, as a Catholic Institution of higher education founded by the Friars of the Order of Preachers, is committed to fostering the following values in its students, faculty, and employees:

1. **CHARITY**, as the supreme evangelical value that moves and underlies all human action and, therefore, intellectual, cultural, social, economic, technological, just to mention a few.
2. **SPIRITUALITY**, which deeply integrates the human being to serve society with self-awareness in relation to others, to the environment, and to God.
3. **STUDIOSITY**, which seeks the attention of all human capacities in order to discover the truths that will lead the human being to live in a state of inner and communal freedom.
4. **TRUTH**, as the goal and fruit of dedication to study, research and spirituality, always longed for and constantly sought in the most diverse fields of knowledge and realities of human experience, as witnessed by St. Thomas Aquinas.
5. **CULTURAL PROMOTION**, as an expression of all human capacities that inspire and give meaning to human life in society, following and innovating the national and globalized tradition.
6. **PROFESSIONALISM**, which seeks the optimal training and performance of the services that are intended to offer to the civil and ecclesial society of Puerto Rico today, from a high ethical, dynamic and innovative sense.
7. **INTEGRITY**, which commits our Institution to comply with all laws, rules, and regulations of the State, licensing, and accrediting agencies, as well as those internal to the Central University of Bayamon.



8. **COMMUNITY LIFE**, as a principle and goal to build a just, full, and peaceful society through respectful dialogue, clear and open communication, which assumes diversity as a richness, striving for teamwork.
9. **SOCIAL JUSTICE**, as a concern and commitment to the construction and transformation of the most varied dimensions of Puerto Rican and international society, from the profession itself.
10. **SOLIDARITY**, which springs from the commitment to social justice and which charity concretizes in the daily actions of each member of the university community who puts at the service of others all that the Creator has given him or her as a gift.

#### ARTICLE 4 – DENOMINATION

This Manual shall be known as the Human Resources Manual for the Administrative Personnel of the Central University of Bayamon (Manual).

#### ARTICLE 5 - LEGAL BASIS

This Manual is promulgated by virtue of the provisions of Certificate Number 3707, as amended, subscribed in the Department of State of the Commonwealth of Puerto Rico, by which the legal name and title by which Universidad Central de Bayamón, Inc. (Bayamón Central University, Inc.), formerly known by the corporate name Universidad Católica de Bayamón Inc.

#### ARTICLE 6 - PURPOSE

This Manual is adopted to establish the norms that will govern the administration of human resources of the administrative employees of the Universidad Central de Bayamón.

## ARTICLE 7 – APPLICABILITY

This Manual is promulgated for all UCB administrative employees, including exempt and non-exempt employees. It shall not apply to teaching employees, nor to independent contractors, as defined in Act No. 4 of January 26, 2017.

## ARTICLE 8 - ADMINISTRATION OF THE MANUAL

The administration of this Manual shall be the responsibility of the President. However, the President may delegate all or part of their administration. It shall be the responsibility of the Human Resources Office, through its Director, to interpret and implement the rules and regulations for the administration of human resources contained in this Manual. All deans, directors and/or supervisors, in coordination with the Director of Human Resources, shall assume responsibility for the equitable application and faithful observance of this manual by the personnel assigned to their area of work.

## ARTICLE 9 – DEFINITIONS

The terms used in this Manual have the following meanings unless a different interpretation is implied by their context:

1. **Disciplinary Action - A** sanction recommended by the employee's supervisor and imposed on the employee, which will become part of the employee's personnel file. It may consist of verbal or written reprimands, suspension of employment and salary, or dismissal.
2. **Reasonable Accommodation -** Any change or adjustment that will enable the person with a qualified impairment to perform the essential duties and responsibilities of his or her position.
3. **Short-Term Training -** Practical training activity or technical or academic studies of a duration not exceeding three (3) months that prepares the employee for the best performance of his/her duties and responsibilities.
4. **Salary Adjustments -** Modifications made to the employee's base salary.

5. **Promotion - A** change of an employee from a position in one class to a position in a higher class, for which higher pay has been provided.
6. **Candidates for Interview** - The Human Resources Office in coordination with the department that applied to fill the vacant position identifies candidates to participate in the interview process to fill a vacancy for a particular class or position.
7. **Severance** - The permanent separation from employment imposed on an employee due to the elimination of a position for lack of work or institutional and/or federal funds or a determination that he/she is physically or mentally unable to perform the essential duties and responsibilities of his/her position.
8. **Class or Classes of Positions** - A group of positions whose duties, type of work, authority, and responsibility are the same or similar in such a way that they may be included under the same title, where the applicants or incumbents are required to meet the same minimum qualifications, and which are under the same pay scale.
9. **Job Classification** - The process by which the duties and responsibilities of the different positions that make up an organization are systematically studied, analyzed, and arranged into classes.
10. **Competence** - Academic preparation, knowledge, or skill acquired by the employee that allows him/her to perform his/her duties and responsibilities efficiently and in compliance with the goals and objectives of his/her work unit.
11. **Announcement** - Official document through which employment opportunities and the minimum requirements, and other necessary aspects related to the position to be filled are disclosed or published. The announcement is published on the website of the Universidad Central de Bayamón and in other media, according to institutional needs.
12. **Council of Founders** - Governing body of the Universidad Central de Bayamón.
13. **Demotion** - The change of an employee from a position in one class to a position in another class with lower duties, responsibilities, and salary.
14. **Job Description** - A written, narrative statement of the duties, authority, and responsibility required by a specific position and for which the incumbent is held

accountable. It should provide guidance on the essential and marginal duties to be performed and the objectives and priorities of the position.

15. **Administrative Designation** - Means the formal and temporary designation made by the President to an employee to perform certain duties and responsibilities as a result of the need for service in another department of the Institution.
16. **Detachment** – This means temporary assignment of an employee from one work unit to another.
17. **Differential** - This is a special temporary compensation, additional and separate from the employee's regular salary that may be granted when extraordinary non-permanent conditions exist or when an employee performs a position on an interim basis, provided that the fiscal situation allows it.
18. **Director of Human Resources** – This means the Director of the Office of Human Resources of Bayamon Central University.
19. **Dismissal** - Total, absolute and definitive separation from the Institution imposed on an employee as a disciplinary measure for just cause.
20. **Exempt employee** - Employees classified under the executive, managerial and professional categories who are not subject to minimum wage, vacation, and sick leave laws, daily and weekly workday limitations, meal period, and overtime pay, as set forth in Regulation 13 of the *Fair Labor Standards Act (FLSA)*.
21. **Non-exempt employee** - Employees who are subject to minimum wage laws, vacation and sick leave, daily and weekly workday limitations, meal period, and overtime pay.
22. **Regular Full-Time Employee** - All employees who are not in temporary or probationary status and who complete the established workweek (40 Hours). They are eligible for the benefits package, subject to the terms, conditions, and limitations of each benefit program.
23. **Part-time employees** – These are those employees who are not on a probationary or temporary status and who regularly complete a workday of fewer than 40 hours per week. They receive the benefits established by law such as: social security, and disability insurance (SINOT), among others. They also accrue

vacation and sick leave, subject to compliance with the minimum hours worked in the month, as provided by law.

24. **Class Specification** - A document containing a written, narrative statement in generic form, indicating the salient characteristics of the intrinsic work of one or more positions in terms of the nature, complexity, responsibility, and authority required of their occupants, examples of the work, knowledge, skills and the minimum qualifications to be possessed by candidates for the positions.
25. **Departments** - Dean's offices, offices, and/or work units of the Universidad Central de Bayamón.
26. **Institutional Statutes** - Institutional Documents of the Universidad Central de Bayamón.
27. **Interim** - Temporary services rendered by an employee in a position whose classification is higher than that of the position for which he/she has an official appointment, by a written designation by the President or his/her authorized representative.
28. **Board of Trustees** - Board of Trustees of Bayamon Central University. Body to which the Board of Founders delegates the administrative powers for the governance of Bayamon Central University.
29. **Paid Study Leave** - Means a special leave with pay granted to employees to further their academic, professional, or technical preparation to improve the quality of the service they provide at the Institution.
30. **Manual** - Human Resources Manual for Administrative Employees of the Universidad Central de Bayamón.
31. **Disciplinary Action** - A document by which the President or designee notifies an employee of violations of the standards of performance, order, and discipline that should prevail at UCB and the determination to impose disciplinary action.
32. **Appointment** - Official designation of a person to perform certain duties and responsibilities in the Institution.
33. **Office of Human Resources** - Refers to the Office of Human Resources of Bayamon Central University.

34. **Probationary Period** – This means the culmination of the recruitment process. A fixed term of time during which an employee, upon appointment to a position, is in a period of training and probation, subject to periodic evaluations in the performance of his/her duties and responsibilities. During this period the employee does not acquire any proprietary rights to the position.
35. **Classification Plan** - The systematic grouping of positions into classes and class series, by virtue of their duties and responsibilities, and the set of generally accepted principles and practices governing their implementation and administration. This job classification system shall be administered by the Human Resources Office of the Institution.
36. **Compensation Plan** - A system of salary scales adopted through which the compensation for administrative positions is set and administered in accordance with the provisions of this Manual.
37. **President** - President of the Universidad Central de Bayamón, who has the legal authority to appoint and remove employees from their positions, as long as it does not conflict with the provisions of the institutional statutes, in applicable cases.
38. **Position** - A set of assigned or delegated duties and responsibilities, which require the employment of a person for a full or part working day.
39. **Reclassification** - The action of classifying a position that had previously been classified within the same Classification Plan. Reclassification may be to a class with a higher, equal or lower salary scale.
40. **Reinstatement** - means the reinstatement or return to the Institution, of any regular employee, after having been separated from his/her position for any of the following causes:
- a. Disability has ceased
  - b. Severance due to position elimination
  - c. Resignation from a regular status position
41. **Resignation** - Total, absolute and voluntary separation of an employee from his/her position with his/her intention expressed in writing.
42. **Suspension of Employment and Pay** - The temporary separation from employment and pay for a specified term imposed on an employee in writing.

43. **Summary Suspension of Employment** - Temporary separation of the employee, when there is reasonable basis to believe that the employee constitutes a real danger to the health, life or morals of the employees or the university community, as a preventive measure without detriment to salary and fringe benefits.
44. **Supervisor** - Any employee who, exercising discretion, has the authority to make effective recommendations for the imposition of disciplinary action; or who has regular responsibility for assigning or directing work, if such responsibilities arise from a law, regulation, manual, or job description.
45. **Transfer** - The permanent movement of an employee from one work unit to another within UCB.
46. **UCB and/or Institution** - Universidad Central de Bayamón.

## **SECOND CHAPTER**

### **ARTICLE 10 - COMPOSITION OF ADMINISTRATIVE EMPLOYEES**

The UCB has two (2) categories in which the positions will be included: exempt and non-exempt, as defined in Article 9.

#### **Section 10.1 - Administrative Employees**

Shall comprise all UCB administrative positions. This includes, but is not limited to, professional, technical and administrative employees up to the highest level at which they are separable from senior management. It also includes any skilled and unskilled labor. Duties and responsibilities are largely subordinate to compliance with programmatic rules and regulations to be instituted at UCB.

#### **Section 10.2 - Senior Management**

Employees considered senior management are those determined in accordance with UCB's Institutional Documents. Their duties and responsibilities include direct or delegated responsibility for the adoption of standards on program content, eligibility criteria, operation of the Institution, interagency relations, and other essential aspects in the management of the Institution. It shall also include participation, to a substantial extent and in an effective manner, in the formulation, modification or interpretation of institutional policies and standards, guided by applicable federal and state regulations,

as well as direct advice to the President. In any of the positions considered senior management, their incumbency in the Institution shall extend until the expiration of the term of their appointment, in accordance with the applicable regulations.

## ARTICLE 11 - JOB CLASSIFICATION

### Section 11.1 - Establishment of Classification Plans

The Human Resources Office will establish and maintain a Classification Plan for the positions upon authorization of the President and the Board of Trustees.

Said Plan shall contain the rules and procedures necessary for the administration of said Plan in harmony with the Remuneration Plan to be established and the regulations applicable to the latter.

The Classification Plan shall reflect the status of all administrative positions as of a given date and shall constitute an inventory of all positions created and authorized as of that date. To ensure that the Classification Plan is an adequate and effective working tool in personnel administration, the Office of Human Resources will keep the Classification Plan up to date by recording the changes that occur in the positions, so that at all times the Plan accurately reflects the organizational and functional reality of UCB.

The development, implementation and administration of the Classification Plan shall be carried out in accordance with the provisions set forth below.

### Section 11.2 - Description of Position Duties and Responsibilities

In accordance with the organizational and operational structure at UCB, the Office of Human Resources will prepare and keep current for each authorized position a clear and accurate description of the essential and marginal duties and responsibilities, degree of authority, accountability, and supervision attached to the position. Each job description will be formalized with the employee's signature.



When circumstances warrant, the Human Resources Office, with the prior approval of the President, may change duties, authority and responsibility, following criteria and mechanisms to be established or applicable regulations. A copy of the form will be provided to the employee upon appointment.

Significant changes in duties and responsibilities, as well as in the degree of authority and supervision attached to the positions, shall be promptly recorded in the job description so that a judgment can be made on the job classification within a reasonable period. Whenever the Job Description is officially modified, a copy shall be given to the employee.

Job descriptions shall be used to orient, train, supervise and evaluate employees following established procedures. An original of any formalized Job Description for each position shall be maintained in an appropriate and accessible form, along with any other documentation related to the classification history of the position. However, such document shall not limit the assignment of duties and responsibilities equivalent to those covered by the job description.

### Section 11.3 - Grouping of Posts in the Classification Plan

All positions that are the same or similar will be grouped into classes in the separate Plan. This grouping shall be based on similar factors, as to the nature and level of difficulty of the work, based on the same or substantially similar duties, type of work, authority and responsibility that can reasonably be called by the same title; the same minimum qualifications for occupants; the same aptitude tests used for employee selection; and the same pay scales applied with equity under substantially the same working conditions. Under no circumstances shall the functional title replace the official title in the handling of human resources, budget and finance matters.

### Section 11.4 - Class Specifications

The Human Resources Office will prepare a job specification for each of the job classes included in the Classification Plan. The same shall contain, in a clear and precise manner, the predominant characteristics of the work as to the nature,

complexity and/or difficulty of the work, degree of responsibility and authority of the positions included in the class; common and typical examples of work and other basic elements necessary for the classification of the positions; minimum requirements as to knowledge, skills and abilities that the employees must possess; and the academic preparation and experience required. It will also establish the duration of the corresponding probationary period. The specifications shall be descriptive of all positions included in the class. The Institution shall use them as a basic instrument in the classification and reclassification of positions; in the evaluation of employees; in the determination of personnel training needs; in basic determinations related to the aspects of compensation, retention, budget and personnel transactions, as well as for other uses in the administration of human resources.

#### Section 11.5 - Classification and Reclassification of Posts

##### Job Classification

All positions will be formally assigned to the corresponding classes. Newly created positions will be assigned to one of the classes included in the classification plans. Newly created positions shall be assigned to one of the classes included in the Classification Plan.

### **THIRD CHAPTER**

#### **ARTICLE 12 - RECRUITMENT BY COMPETENCIES**

##### Section 12.1 - Recruitment Standards

The Human Resources Office shall be responsible for formulating and adopting the recruitment standards for the job classes included in the Classification Plan, based on equal opportunity to participate in the recruitment process to any qualified person interested in participating, based on their qualifications in terms of their academic, professional and work achievements, knowledge, capacity, skills, abilities, experience, skills and work ethics, without discrimination in accordance with applicable laws, including discrimination on the basis of race, color, sex, birth, origin

or social condition, marriage, political or religious ideas, age, sexual orientation, sexual harassment, sexual harassment, sexual harassment, or sexual orientation, experience, skills and work ethic, without discrimination in accordance with applicable laws, including discrimination based on race, color, sex, birth, national origin or social status, marriage, political or religious beliefs, age, sexual orientation, gender identity, perceived victim of domestic violence, sexual assault or stalking, or genetic information, veteran status, or physical or mental disability. It is also prohibited on the basis of status as a recipient of financial assistance under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

#### Section 12.2 - Notice of Employment Opportunities

The calls for applications will be published on UCB's website and in the most appropriate and economical media, in each case, in order to attract and retain the most qualified candidates.

#### Section 12.3 - Selection

The selection of the candidate for appointment shall be made within fifteen (15) working days from the date on which the institutional body submitted its written recommendation approved by the President to the Human Resources Office. This period may be extended for no more than ten (10) additional working days, when extraordinary circumstances arise.

#### Section 12.4 - Probationary Period

The probationary period is the last part of the recruitment and selection process.

Any person appointed or promoted to a position in the UCB shall be subject to the established probationary period.

The probationary employee's performance will be evaluated on an ongoing basis with the criteria of productivity, efficiency and compliance with the criteria of order and discipline. It will be the supervisor's responsibility to train and orient the employee, to formalize the evaluations, discuss them with the employee and take the corresponding action. For this purpose, the supervisor will use the official probationary evaluation forms. Employees will be required to

demonstrate their ability to satisfactorily perform the duties of the position. In addition, they must observe the conduct expected of an employee to qualify for regular employee status.

3. It is the responsibility of the immediate supervisor to orient the probationary employee on:
  - a. the essential and marginal duties and responsibilities of the position;
  - b. the degree of authority and supervision of the position;
  - c. the actions that may be taken due to faults incurred in the performance of their duties and responsibilities;
  - d. the productivity and efficiency criteria to be achieved;
  - e. the manner and frequency with which their work will be evaluated
4. The Human Resources Office will orient the probationary employee on:
  - a. UCB's programs and organization;
  - b. the duties and responsibilities of employees as set forth in this Manual, and any applicable internal rules of conduct.
5. Employees classified as executives, administrators and professionals under the *Federal Labor Standards Act* and regulations of the Department of Labor and Human Resources shall have an automatic probationary period of twelve (12) months. The rest of the workers who are employees shall have an automatic probationary period of nine (9) months. Notwithstanding, the employer and the employee may agree on a probationary period, if the same is less than the automatic period provided in the Law. The dismissal of a probationary employee shall not be subject to the severance requirements established in the Law.

Depending on the length of the probationary period, the frequency of periodic performance evaluations shall be established. In any case, a minimum of two (2) evaluations shall be completed: one in the middle of the probationary period and another within the final time of the probationary period. In positions whose probationary period is longer than six (6) months, evaluations are made at least every three (3) months. If the supervisor observes that the employee does not

reach the expected level in some of the evaluation factors, he/she shall immediately inform the employee of the performance or behavior observed. He/she shall orient him/her on the necessary changes to comply with the referred factors.

The final evaluation of probationary employees shall be made at least fifteen (15) days prior to the expiration date of the probationary period.

I. The evaluation procedure has the following exceptions:

- a. When an employee is transferred, promoted or transferred to another unit or his/her supervisor changes, the evaluator will complete a partial or final evaluation, as appropriate to the stage of the cycle in which the employee is at the time of the change. The evaluation will be discussed with the appraisee.
- b. In cases where the supervisor changes work units or terminates employment with UCB, it is the supervisor's responsibility to complete and discuss the evaluation of the personnel under his/her charge prior to leaving the work unit. If the supervisor has not completed the evaluation and terminates employment, no paycheck can be issued until the supervisor certifies that he/she has completed the appropriate evaluation.
- c. In the event that at the end of the probationary period the employee has not been evaluated and the supervisor is not at UCB, the Human Resources Office will be responsible for the employee's evaluation.

If the appointee was satisfactorily performing the duties of the position immediately prior to appointment, the period worked may be credited to the probationary period. The determination of credit shall be made by the President or his/her authorized representative. It is discretionary and will require the immediate supervisor's evaluation of the work performed and a recommendation for accreditation to the President. Only experience in positions of the same class whose duties and responsibilities are equal to those of the employee's new position will be credited.

### Section 12.5 - Appointments Temporary

Employees with temporary appointments are not considered regular employees and therefore are not eligible to enjoy the fringe benefits assigned to regular employees, except for express labor legislation.

## ARTICLE 13 - PROMOTIONS, TRANSFERS AND DEMOTIONS

### Section 13.1 - Promotions

1. The purpose of promotions is to provide opportunities for advancement to UCB employees who demonstrate ability in the performance of their duties, commitment to goals and objectives, and compliance with the Institution's standards of order and discipline.
2. All promoted employees shall complete the probationary period assigned to the class of position to which they have been promoted, except for exceptions included in Articles 12 and 19.

### Section 13.2 - Transfers

1. Transfers will be used as a mechanism for placing employees in positions where they will contribute their efforts to achieve UCB's objectives.
2. The transfer may be made for the benefit of the employee at the employee's request or due to the needs of the Institution to fill a position or for a defined term.

### Section 13.3 - Descents

The demotion of an employee may be effected in the following cases:

- a. at the written request of the employee and authorized by the President

### Section 13.4 - Administrative Highlights

UCB may temporarily assign an employee to another institutional position, according to institutional needs.

The seconded employee will continue to occupy the same position and will retain all fringe benefits.

The determination in the duration of the detachment, will be the reasonableness of the same, so it may be extended from time to time, if the need persists.

#### ARTICLE 14 - TRAINING AND PROFESSIONAL DEVELOPMENT

UCB postulates training and development as essential programs aimed at strengthening the competencies of its employees and adding value to human resource management.

In consideration of the staff training needs identified, each supervisor, in coordination with the Human Resources Office, will develop a Training and Development Plan for the training and professionalization of the employees assigned to his or her work unit. The Plan shall include various means of training, such as: paid or unpaid leave for training, seminars or short-term courses, etc. The Plan shall give priority consideration to the short and long-term needs of the Institution. It should also include cost projections.

##### Section 14.1 - Training

1. Training shall be authorized to employees for a term not to exceed six (6) months for the purpose of receiving practical or technical training, or for academic studies to prepare them for the better performance of the duties and responsibilities corresponding to their positions. Conventions and assemblies may be considered short-term training.
2. The employee will be responsible for attending training that UCB has authorized and paid for. If, for reasons beyond UCB's control, the employee does not attend the training, the employee is responsible for refunding the amount paid for the cost of the training.
3. The President may excuse the employee when he/she finds that there was a justifiable reason for the absence.

### Section 14.2 - Scholarships and Study Grants

1. The Institution may grant scholarships and paid and unpaid study leave to meet institutional needs in special areas.
2. In such cases, UCB will adopt rules for the granting of scholarships, leave with pay in a manner that establishes the obligations of the benefited employees to render services to UCB for a specified minimum time after completion of the studies for which the scholarship or leave with pay was granted or else the employee would be required to reimburse UCB for the full cost of the scholarship or leave with pay paid to him or her.

### Section 14.3 - Other Training Activities

UCB will organize and develop courses, workshops and for the purpose of broadening professional or technical expertise and other employee-directed training activities to meet the particular needs of the employee and UCB.

## **FOURTH CHAPTER**

### ARTICLE 15 - EMPLOYEE DUTIES AND RESPONSIBILITIES

Administrative employees with or without regular status are responsible for complying with the institutional criteria that must prevail at UCB in terms of productivity, efficiency, habits, attitudes, order and discipline, among others. Likewise, in addition to the aforementioned criteria, they must comply with minimum obligations, which may include without being exhaustive:

1. Attend work regularly and punctually and comply with the established work day.
2. Observe standards of correct, courteous and respectful behavior in their relations with their supervisors, co-workers and citizens.
3. To perform efficiently and diligently the duties and responsibilities assigned to his/her position and others compatible with these that may be assigned to him/her.



4. Comply with those orders and instructions of their supervisors that are consistent with the authority delegated to them and with the duties and responsibilities, activities and objectives of the UCB.
5. Maintain the confidentiality of those matters related to their work unless they receive a formal request or permission from a competent authority requiring the disclosure of any matter.
6. Perform duties during non-working hours when the need of the institution so requires and upon adequate and reasonable advance notice.
7. To monitor, conserve and safeguard documents, property and institutional interests in their custody.
8. Comply with the provisions of these regulations and the rules adopted pursuant thereto.

Employees must also comply with any other legislation, rules and regulations required by the Institution.

## ARTICLE 16 - CORRECTIVE AND DISCIPLINARY ACTIONS

### Section 16.1 - Purpose

The fundamental purpose of these discipline standards is to provide guidance in the administration of discipline in the workplace, to ensure uniformity in the application of remedies or corrections for equal offenses, to develop in the employee a better understanding of what constitutes reasonable cause for disciplinary action, to correct the employee, and to maintain the discipline and morale of the employee group in the organization.

When an employee's behavior does not correspond to the behaviors and values established by our Institution as an acceptable work standard, these rules shall be applied. The rules of conduct for employees shall be established by internal regulation in harmony with the provisions of this section and the disciplinary actions applicable to violations of these rules of conduct. Employees shall be oriented to these rules at the time they take up their positions.

UCB will take corrective action when an employee's conduct does not conform to established standards. Among other measures, verbal reprimand, written reprimand, suspension of employment and pay, and dismissal may be considered. Among other similar situations, the following may be grounds for disciplinary action against the employee, without being exhaustive:

1. Accept gifts, donations or any other reward for work performed as an employee, except those authorized by the President.
2. Using their official position for purposes not compatible with the institutional mission and vision.
3. Performing duties or tasks that involve conflicts of interest with your duties as a UCB employee.
4. Failure to comply with any of the duties and obligations set forth in this Manual.
5. To observe improper conduct or conduct harmful to the good name of UCB.
6. Incurring in prevarication, bribery or immoral conduct.
7. Perform any act that impedes the application of this Manual and the rules adopted in accordance with it.
8. Knowingly making or knowingly accepting a false statement, certification or report in connection with any matter covered by this Manual.
9. Directly or indirectly giving, paying, offering, requesting or accepting money or any other value for or in exchange for the granting of economic assistance, appointments, promotions, services for personal gain, among others.
10. Certifying, approving or performing any personnel action in violation of the provisions of this Manual.
11. Engaging in conduct that constitutes sexual harassment in the workplace.
12. Failure to produce or submit reports required by law and/or by express instruction of their supervisor.
13. Performing or attempting to perform deception or fraud in the information submitted in any application or institutional document.
14. Performing or attempting to perform discriminatory acts against handicapped persons on the basis of their handicap.
15. Repeated tardiness or early departures without authorization.

16. Lack of interest, negligence or carelessness in the performance of their duties and responsibilities.
17. Having or receiving visits from friends in offices, rooms or workplaces, during working hours and without authorization.
18. Purchase or sale of articles or merchandise, raffles or activities for personal gain during working hours in the perimeters of the Institution.
19. Disorderly conduct, horseplay, improper or obscene language in the facilities of the Institution.
20. Committing theft, fraud or attempted fraud against the Institution.
21. Knowingly allowing or knowingly omitting, altering or giving incorrect information on reports, invoices, vouchers or other forms requested.
22. Posting notices and circulating loose sheets within the Institution's property during work time, without prior written authorization.
23. Making personal calls from the Institution's telephones without authorization from the Supervisor.
24. Making false, vicious or malicious statements about an employee or the Institution.
25. Disclosure or publication of confidential information or material of the Institution, without prior authorization.
26. Not being in their work area at the time of starting or finishing their daily workday, according to the established schedule.
27. Abandoning or suspending work without justification during working hours.
28. Refusal to comply with orders to perform a job and/or to obey written or verbal orders.
29. Insubordination or disrespect to your supervisor; including refusal to do a job and obey written or verbal orders.
30. Negligent and irresponsible handling of the Institution's motor vehicles.
31. Concealing facts, misrepresenting data or making false statements about incidents related to the operation of the Institution.
32. Drinking alcoholic beverages during the workday and on UCB premises.

33. It is forbidden to make verbal or written expressions aimed at damaging the good name of the Institution or its personnel.
34. Failure to follow the notices and signs posted in the Institution.
35. Failure to comply with professional ethics or Christian morals.
36. Publication of confidential or defamatory information on social networks, in reference to the Institution.
37. Altering check-in or check-out times on official reports.
38. Encouraging, compelling, inciting, bribing or otherwise inducing an employee to participate in violation of the Institution's disciplinary rules.
39. Taking or removing outside the Institution or work area or misappropriating property belonging to the Institution or any employee without authorization.
40. Falsification or malicious alteration of reports, payrolls or other material property of the Institution.
41. Assaulting, quarreling, and provoking fights by physical or verbal force.
42. Possess, use, carry on their person, bring on Institution grounds or report to work under the influence of marijuana, morphine, cocaine or other controlled substances of similar nature.
43. Bringing into the physical facilities of the Institution any explosive material or pyrotechnics.
44. Committing or attempting acts of violence that harm the safety of employees, students and the university community in general of the Institution or property.
45. Malicious damage to the Institution's property, tools or equipment including vandalism and sabotage.
46. Failure to report absences within the statutory period.
47. Hitting, threatening to hit or insulting a co-worker or supervisor.
48. Making improper use of paid or unpaid leave to which he/she is entitled.
49. Failure to comply with current standards of appropriate attire.

The provision of excellent performance by employees is not limited solely to the observance and fulfillment of the aforementioned duties and responsibilities. When the possibility of disciplinary action against an employee, which could result in suspension of employment and salary or dismissal, arises, the following procedure will be followed:

as a general rule, an investigation will be conducted by the Human Resources Office, discussed with the President, and a determination will be made as to whether any disciplinary action should be taken. If disciplinary action is taken, the employee will be notified in writing.

Section 16.2 - Responsibility of Deans, Office Managers and Supervisors

Deans, office managers, and supervisors are responsible for maintaining a professional and disciplined environment in their work unit. To this end, they must have a clear understanding of UCB's standards of conduct, as well as the corrective and disciplinary measures applicable in the event of violations of these standards, and must provide guidance to employees upon entry or during their tenure at the institution. In any case, they must have the advice of the Human Resources Office.

The supervisor must take corrective action or recommend appropriate disciplinary action when an employee violates discipline rules. The supervisor must keep a log of all actions taken. Minutes of the meeting(s) should be kept and maintained. If, in the supervisor's judgment, the behavioral or performance problem exhibited by the employee is indicative of a need for counseling or specialized services, the supervisor should refer the employee to the Employee Assistance Program with prior advice from the Human Resources Office.

When the employee's action may be considered a criminal offense under state and federal law, in addition to recommending appropriate disciplinary action, the supervisor will notify the appropriate authorities through the appropriate lines of command.

The specific responsibilities for recommending or taking disciplinary action lie with the deans, directors and supervisors, who, in addition to issuing verbal and written warnings, may recommend to the President the imposition of a written reprimand, suspension of employment and salary, or dismissal.

## ARTICLE 17 - PERFORMANCE EVALUATION

UCB will establish a performance evaluation system that is appropriate to its operational needs. The system will measure the work performed by employees to determine their compliance with the criteria of productivity, performance and effective compliance with the behaviors, attitudes, order and discipline that must prevail in the Institution.

### Section 17.1 - Purpose

The system shall be developed in consideration of the duties and responsibilities of the positions and the minimum essential duties required of employees. Such evaluation systems shall be established as may be necessary for the following purposes:

1. evaluate the employee's work during the probationary period;
2. guide employees on how to perform their work in order for it to be considered effective;
3. to recognize highly meritorious work;
4. determine the granting of paid or unpaid study leave or leave without pay;
5. determine training, development and staff training needs;
6. determine eligibility for the granting of productivity and performance pay increases;
7. evaluate the work of employees.

In establishing evaluation systems, the following general rules shall be observed:

1. training and guidance will be provided to supervisors and employees on the evaluation instrument to be established;
2. each supervisor shall jointly consider with the employee the result of the evaluations; and
3. internal review mechanisms will be established to ensure the greatest objectivity in the employee evaluation process.

Under Article 6 of Act 180-1998, as amended, known as the "Puerto Rico Minimum Wage, Vacation and Sick Leave Act," it is prohibited to use excused absences due to illness as a criterion for employee efficiency in the annual employee evaluation process.

### Section 17.2 - Corrective Actions and Disciplinary Actions

The rules of conduct of employees shall be established by internal regulation in harmony with the provisions of this section and the disciplinary actions applicable to infractions of such rules of conduct. Employees shall be oriented on the aforementioned regulations at the time they take up their positions.

UCB will take corrective action when an employee's conduct does not conform to established standards. Among other measures, verbal reprimand, written reprimand, suspension of employment and pay, and dismissal may be considered. The following, among other similar situations, may be grounds for disciplinary action against the employee:

The provision of excellent work by employees is not limited only to the observance and compliance with the duties and obligations mentioned above, nor to respect the prohibitions mentioned above. They must also fully comply with UCB's internal rules. These may include, but are not limited to, the following aspects and requirements:

1. Do not use cell phones to make or receive personal calls during working hours.
2. Do not use a radio or any analog or electronic device in the workplace, except when authorized.
3. Wear your identification card in a visible place while working at UCB or while on official business or behalf of the Institution.
4. Comply with current standards of appropriate attire.
5. Not to practice gambling in UCB facilities or on UCB premises.
6. Not to attend work or carry out their duties and responsibilities under the influence of alcoholic beverages, controlled substances, except for medications authorized by medical prescription.

7. Do not bring alcoholic beverages or controlled substances into UCB facilities or on UCB premises, except for medications authorized by a doctor's prescription.
8. Do not bring weapons, pyrotechnics, explosives or similar devices into UCB facilities or on UCB premises, except for authorized medications.
9. Not to be absent from work without proper authorization from the supervisor.
10. Notifying absences within the regulatory term.
11. Not to make improper use of paid or unpaid leave to which he/she is entitled.

When the possibility of disciplinary action against an employee arises, which could result in suspension of employment and salary or dismissal, the following procedure shall be followed. As a general rule, an investigation will be carried out to allow the employee to express his or her version of the facts. A determination will be made as to whether any disciplinary action should be taken, and if so, the employee will be notified in writing of the offenses and the determination.

When the alleged conduct constitutes an actual or potential situation of danger to the health, life, or morals of employees or the university community in general, the employee may be summarily suspended from employment and pay temporarily while the investigation is conducted, which shall begin immediately the facts become known and, as a general rule, shall be completed in the shortest possible time. Once the investigation is completed, the employee will be informed of UCB's determination.

### Section 17.3 - Responsibility of Deans, Office Managers, and Supervisors

Deans, office directors and supervisors are responsible for maintaining an environment of discipline in their work unit. Therefore, they must have a clear understanding of the Institution's standards of conduct, as well as the corrective and disciplinary measures applicable in the event of infractions of the same, and must guide employees upon entry or during their performance at the Institution. In any case, the Human Resources Office shall advise him/her.

The supervisor must take corrective action or recommend appropriate disciplinary action when an employee violates discipline rules. The supervisor must maintain an



internal file that evidences all appeals used. If the remedies were verbal, a record of the meeting should be made and kept in the file. If the behavioral or performance problem exhibited by the employee, in the supervisor's judgment, is indicative of a need for counseling or specialized services, the supervisor should refer the employee to the Employee Assistance Program.

When the employee's action may be considered a criminal offense under state and federal law, in addition to recommending appropriate disciplinary action, the supervisor will notify the appropriate authorities through the appropriate lines of command.

Specific responsibilities for recommending or taking disciplinary action are set forth as follows:

- a. supervisors, in addition to verbal and written warnings, may recommend to the President the imposition of a written reprimand, suspension of employment and salary or dismissal, and
- b. The President shall be the only person authorized to impose these disciplinary measures, or the person delegated by him/her.

#### Section 17.4 - Severance

The Institution may decree layoffs without being understood as dismissal for; elimination of positions due to lack of work or funds or when it is determined that an employee is physically or mentally unable to perform the essential duties and responsibilities of the position.

1. Severance due to lack of work or funds

In cases of layoffs due to elimination of positions due to lack of work or funds, the following rules shall apply:

- a. The Office of Human Resources will prepare for the President's approval a plan for the issuance of layoffs when necessary. The plan will contain the method by which UCB will enact such layoffs.
- b. The President shall notify in writing any employee to be laid off at least thirty (30) days before the effective date of the layoff.

2. Layoffs may also be ordered in the following situations:

- a. When it is determined that there is reason to believe that the employee is physically or mentally unable to perform the essential duties and responsibilities of his/her position, with or without reasonable accommodation. When there is evidence of problems in the performance of duties or safety or when required by other federal laws, the Institution may require the employee to submit to a medical examination to determine his/her fitness to perform the duties and responsibilities of the position and when medical examinations are required as part of health programs. The following, among others, may constitute reasons or elements of judgment to presume physical and/or mental impairment of the employee to perform the duties of his/her position: noticeable drop in productivity, marked absenteeism due to illness, unreasonable patterns of behavior. UCB will select the physician and assume the costs. An employee's refusal to submit to the required medical examination may be the basis for a presumption that he/she is unable to perform the essential duties and responsibilities of his/her position. The employee will be notified of this action. If it is determined that the employee is not qualified to perform the essential duties and responsibilities of the position, with or without reasonable accommodation, UCB may order the employee laid off by giving the employee not less than thirty (30) days written notice of its decision prior to the effective date of the layoff.
- b. When the employee is disabled due to a work accident and under medical treatment with the State Insurance Fund Corporation for a period of more than twelve (12) months from the date of the accident, pursuant to Section

5 - A of Act No. 45 of April 18, 1935, as amended, "Workmen's Compensation Act" for a term of one (1) year. Once this term has elapsed without the employee having returned to work, the layoff procedure shall be initiated. UCB may order the employee's layoff, no less than thirty (30) days prior to the effective date of the layoff, by notifying the employee in writing of its decision.

#### Section 17.5 - Separation During the Probationary Period

An employee may be removed from his/her position during or at the end of the probationary period.

#### Section 17.6 - Abandonment of Employment

Any employee who remains absent from work without justification for three (3) consecutive days and without authorization from his/her immediate supervisor shall be guilty of abandonment of work. Abandonment of work may be cause for suspension or dismissal from employment.

### ARTICLE 18 - FRINGE BENEFITS

Fringe benefits represent an indirect financial reward that is perfectly quantifiable, thus providing the employee with additional income, security, and improved employment conditions. UCB is responsible for keeping supervisors and employees informed and oriented about fringe benefits and the terms and conditions governing their enjoyment. The administration of fringe benefits should follow a plan that maintains an appropriate balance between institutional needs, employee needs, and the optimal use of available resources. In this way, fringe benefits will be conducive to establishing a work environment conducive to productivity.

#### Section 18.1 - Holidays

All regular UCB employees may observe holidays declared by the Governor of Puerto Rico or by law, with pay and without charge to any leave of absence. Occasionally, administrative personnel may be required to work on certain days considered

holidays to meet institutional needs. No employee may refuse to work, except in emergencies.

A non-exempt employee who is required to report to work on a holiday shall be paid at the rate of his or her regular workday. As a result, he/she will be granted a day off with pay and without discount to any leave in substitution for the day worked, which must be enjoyed in the same week.

Part-time and/or temporary employees, as well as probationary employees are not eligible for this benefit.

As a requirement to receive holiday pay, the non-exempt employee must work the working day before and after the holiday. This benefit may be modified, according to the fiscal situation of the Institution, in which case employees will be notified.

New Year	January 1
Three Kings Day	6 January
Martin Luther King	3rd Monday of January
Presidents' Day	February 17th
American Citizenship	March 2
Abolition of Slavery	March 22nd
Good Friday	movable
Memorial Day	last Monday of May
Independence of the United States	July 4
Labor Day	1st Monday of September
Columbus Day	October 12
General Elections	movable every four (4) years
Veterans Day	November 11
Discovery of Puerto Rico	November 19
Thanksgiving Day	4th Thursday of November
Christmas Day	December 25

## Section 18.2 - Paid Leaves of Absence

### 1. Vacation Leave

Employees may accrue and enjoy vacation leave in proportion and subject to the rules indicated below. The Human Resources Office will formulate a Vacation Plan in coordination with supervisors and employees that establishes the period in which each employee will enjoy his/her vacation in consideration of the needs of the Institution. Each Office will prepare its Plan and submit it to the Human Resources Office, which will be responsible for approving and administering the Annual Vacation Plan of the Institution. The Plan shall be established sufficiently in advance to be implemented on January 1 of each year. Compliance with the Plan shall be the responsibility of the Human Resources Director, supervisors and employees.

- a. Employees shall accrue one and one-half (1.5) days for each month, up to a maximum of eighteen (18) days per year, subject to one hundred and thirty (130) hours worked in each month.
- b. This leave shall begin to accrue once the employee completes three (3) months of employment and shall be retroactive to the date of commencement of employment. Short-time or part-time employees shall accrue vacation leave subject to completing one hundred thirty (130) hours worked in each month, up to a maximum of eighteen (18) days per year.
- c. Full-time administrative employees may accrue up to a maximum of thirty-six (36) vacation days at the end of the calendar year. Exceptions may only be made for clear and urgent institutional needs, duly certified by the supervisor and approved by the President.
- d. Vacation leave shall be enjoyed in accordance with the approved Vacation Plan. The employee may enjoy his/her vacation leave for a period of eighteen (18) working days during each calendar year, of which no less than five (5) days must be enjoyed consecutively.

- e. In special circumstances, the President may advance up to ten (10) days of vacation leave accrued by the regular employee, provided he/she has worked at the Institution for more than one (1) year, has enjoyed at least five (5) consecutive days of vacation leave and the fiscal health of the Institution permits. The granting of early vacation leave shall in all cases require the prior written approval of the President.
- f. If an employee terminates or resigns from the Institution for any reason, the amount of accrued vacation leave shall be paid in full as part of the employee's final salary settlement.
- g. Any employee is entitled to accrue vacation leave while on any leave with pay, provided he/she returns to his/her UCB position at the end of the authorized leave.
- h. Vacation leave is to be used only for planned vacations authorized by the supervisor. If an employee becomes ill while on vacation, he/she must inform his/her immediate supervisor and submit the appropriate medical certification to the Human Resources Office. Sick days will be deducted from sick leave, unless for extraordinary reasons the President or his/her authorized representative authorizes that it be deducted from the employee's vacation leave balance.
- i. Employees of the Institution may assign, exceptionally to another UCB employee, accumulated vacation days up to a maximum of five (5) days, when:
  - i. the assignee employee has worked continuously for a minimum of one (1) year in the Institution;
  - ii. the transferee employee has not incurred in a pattern of unexcused absences in violation of the Institution's rules;
  - iii. the transferee employee has exhausted all of the leave to which he or she is entitled as a result of an emergency;
  - iv. the assignee employee has provided evidence of the emergency and the need to be absent for days over the leave already exhausted and accepts the assignment in writing;

- v. the assigning employee has accrued a minimum of ten (10) days of vacation leave over the number of leave days to be assigned and submit a written authorization agreeing to the assignment.
- vi. The assignee has consented in writing to the assignment of vacation leave balance days by the employees concerned.

## 2. Sick Leave

Employees may accrue and use sick leave, subject to the rules set forth below:

- a. Employees shall accrue one and one-half (1.5) days for each month, up to a maximum of eighteen (18) days per year, subject to one hundred and thirty (130) hours worked in each month.
- b. This leave shall begin to accrue once the employee completes three (3) months of employment and shall be retroactive to the date of commencement of employment. Short-time or part-time employees shall accrue sick leave, subject to completing one hundred thirty (130) hours worked in each month.
- c. Full-time administrative employees may accumulate up to a maximum of thirty-six (36) days. Excess days may not be accumulated or carried over to the following calendar year.
- d. Sick leave will be used when the employee is ill, incapacitated by injury or illness that prevents him/her from working or exposed to a contagious disease that requires his/her absence from work for the protection of his/her health, the health of his/her coworkers and others. Time used by the employee for medical appointments or medical procedures will also be charged to sick leave. Whenever the use of this leave can be anticipated, it shall be requested in advance and the required supporting documentation shall be presented.
- e. In case of prolonged illness, once the employee's sick leave is exhausted, he/she may use his/her accumulated vacation leave. If the employee does not have accrued vacation leave, it will be deducted from his/her salary.

- f. When the employee exhausts sick and vacation leave and continues to be ill, the President may recommend to the Board of Trustees a leave of absence without pay for up to one (1) year, which may be extended in consideration of the employee's duly accredited health condition and institutional needs.
- g. In cases of non-occupational disability where the employee has exhausted his/her sick and vacation leave and continues to be ill, he/she will be entitled to SINOT or Seguro Choferil benefits, as applicable. While under this insurance, the employee may be authorized leave without pay.
- h. Any employee who is reported to the State Insurance Fund Corporation (Corporation) must submit to the Human Resources Office copies of the treatment forms and decisions made by the Corporation. When the Corporation authorizes discharge, you must submit the form authorizing you to work within five (5) working days of notification. The Human Resources Office will coordinate the employee's return to work.
- i. In case of absence due to illness for three (3) or more consecutive days, the employee is required to submit to the Human Resources Office a medical certificate attesting to the absences, issued by a physician duly authorized to practice medicine in Puerto Rico. The Human Resources Office may corroborate the employee's inability to attend work due to illness by any other appropriate means, if deemed necessary.
- j. When an employee returns to work after a leave of absence due to a contagious, mental or other long-term illness, he or she must submit a medical certificate stating that he or she can work and that his or her presence at work does not constitute a danger to the safety or health of the employee, his or her fellow employees or the University community. In such cases, UCB may require the employee to undergo a medical examination by a physician selected by the institution to ensure the employee's recovery. UCB will pay for the cost of the examination.
- k. If an employee is absent consecutively for more than three (3) days due to illness or injury, he/she must bring medical certification. This must be



submitted to the Human Resources Office to be included in the employee's medical file.

- I. Every employee is entitled to accrue sick leave while on any leave with pay, provided he/she returns to the Institution at the end of any authorized leave.
- m. All absences due to illness must be notified the day before or as soon as the absence becomes known. Planned absences (e.g. medical appointments) must be notified as soon as possible (minimum three (3) days in advance).
- n. When an employee misleadingly claims illness to justify absence from work, he/she will be subject to disciplinary action.
- o. Any employee may annually use up to a maximum of five (5) days of his/her accumulated sick leave provided he/she maintains a balance of twelve (12) days to request special leave for the purpose of using the same on:
  - i. The care and attention due to illness of your sons or daughters, your spouse, your mother or your father.
  - ii. Illness or arrangements of elderly or disabled persons of the family nucleus, meaning fourth degree of consanguinity, second degree of affinity or persons living under the same roof or persons over whom custody or legal guardianship is held The arrangements to be made must be consistent with the purpose of the sick leave; that is to say, to the care and attention related to the health of the persons covered herein. Elderly" person shall mean any person who is sixty (60) years of age or older. Handicapped" person shall mean any person who has a physical, mental or sensory impairment that substantially limits one or more essential life activities. The employee must present a medical certification for illnesses or conditions of children, spouses, parents, as well as in the other cases mentioned above.
  - iii. First appearance of any petitioning party, victim, or complainant in administrative and/or judicial proceedings before any department, agency, corporation, or public instrumentality of the Government

of Puerto Rico, in cases of petitions for alimony, domestic violence, sexual harassment in the workplace, or gender-based discrimination. The employee shall present evidence issued by the competent authority evidencing such appearance.

### 3. Special Leave for Catastrophic Illnesses

Act No. 28-2018, better known as "Special Act for Employees with Serious Illnesses of Catastrophic Character" provides that employees may enjoy a special leave with pay of up to six (6) working days per year in addition to sick leave. This leave shall apply to the following illnesses:

1. Acquired Immune Deficiency Syndrome (AIDS)
2. Tuberculosis
3. Leprosy
4. Lupus
5. Cystic Fibrosis
6. Cancer
7. Hemophilia
8. Aplastic anemia
9. Rheumatoid arthritis
10. Autism
11. Post Organ Transplant
12. Scleroderma
13. Multiple Sclerosis
14. Amyotrophic Lateral Sclerosis (ALS)
15. Chronic Kidney Disease (levels 3, 4 and 5)

The use and enjoyment of this license is subject to the following terms:

- a. This Special Leave may be claimed by a regular or temporary employee with a catastrophic illness, provided he/she has worked for UCB for a

period of at least twelve (12) months and works an average of one hundred thirty (130) hours per month in that period.

- b. To be eligible for this leave, the employee shall present a medical certification from the health professional who provides medical treatment for the Serious Catastrophic Illnesses and in which he/she certifies that he/she is diagnosed with one of the Serious Catastrophic Illnesses listed in the law. This certification will be required annually when the employee applies for Special Leave.
- c. The leave may be used after an employee's sick leave is exhausted.
- d. The six (6) days of this leave may be requested by the employee each calendar year but may not be accumulated or carried over to the following calendar year; also if an employee resigns or is separated from his/her employment, this leave shall not be subject to a monetary settlement if not used.
- e. The use of Special Leave will be considered time worked for purposes of accrual of all employee benefits.
- f. Upon written request of the employee and with the accrediting evidence of the health condition, the use of six (6) annual days established in this Law shall be allowed through fractional, flexible and intermittent schedules.
- g. Days used for this Special Leave will not be considered for issuing unfavorable evaluations or taking adverse actions against the employee, such as, but not limited to, reductions in work hours, job reclassification or schedule change.

#### 4. Maternity Leave

Delivery shall mean the act by which the child granted is expelled from the mother's body by natural means or legally extracted from it by means of surgical-obstetric procedures. It shall also include any premature birth, miscarriage or involuntary abortion, including in the latter case, those legally indicated by medical practitioners, suffered by the mother at any time during pregnancy.

- a. Maternity leave shall include the prenatal and post-partum rest period to which all pregnant employees are entitled. It shall also include the period to which a female employee who adopts a child is entitled, in accordance with the applicable legislation.
- b. The pregnant employee is entitled to maternity leave which shall extend from four (4) weeks before delivery and four (4) weeks after delivery. In addition, the employee may consecutively enjoy four (4) additional weeks for the attention and care of the child.
- c. During the period of maternity leave the employee will receive her regular salary.
- d. The employee may choose to take up to one (1) week of prenatal leave and extend up to seven (7) weeks of postpartum leave. In these cases, the employee must present medical certification that she is able to work up to one (1) week prior to delivery.
- e. For employees with temporary status, maternity leave shall not exceed the period of appointment.
- f. The employee may request to be reinstated to her job after the first two (2) weeks of post-partum leave if she presents a medical certificate certifying that she is fit to work. In such case, the employee shall be deemed to have waived the other post-partum days off to which she is entitled.
- g. An employee who is interested in attending work meetings, training, seminars, conventions or other official activities during the post-partum period, without having exhausted her maternity leave, must submit to her immediate supervisor a medical certificate indicating that she may interrupt her leave to attend the activity. She will then be able to continue to take her leave after the activity. Time used for these activities will not be deducted from maternity leave.
- h. The employee's request for maternity leave must be submitted at least fifteen (15) working days before the end of the eighth (8th) month of pregnancy and must be accompanied by a certificate issued by a

- licensed physician indicating the approximate date on which, in the physician's opinion, the employee should stop working and the probable date of delivery. An employee who is pregnant or adopting a child is required to notify UCB in advance of her plans for maternity leave and her plans to return to work.
- i. If the childbirth occurs prior to the expiration of the entire prenatal leave or before the prenatal leave has begun, the employee may choose to extend the post-partum leave for a period of time equivalent to that which she missed during the prenatal period. In the event that she erroneously estimates the probable date of delivery or the employee has used the four (4) weeks of prenatal leave without the delivery occurring, she is entitled to have her prenatal maternity leave extended with her regular salary until the delivery occurs.
  - j. The employee who as a direct result of childbirth has a health condition, which according to the medical certificate prevents her from returning to work when due, shall be granted four (4) additional weeks of maternity leave, without pay. In such cases, at the employee's option, she may choose to use her sick leave. If she does not have accrued sick leave, she shall be granted vacation leave. In the event that she does not have accrued sick leave or vacation leave, she may be granted unpaid leave for up to one (1) year. In addition, you may be eligible for non-occupational disability insurance benefits (SINOT). In these cases, medical certification shall be required indicating the employee's condition and the estimated duration of the condition.
  - k. In case of premature delivery, the employee shall be entitled to enjoy the eight (8) weeks of maternity leave from the date of delivery.
  - l. The employee who suffers a miscarriage may claim up to a maximum of four (4) weeks of maternity leave. In order to be entitled to such benefits, the miscarriage must be of such nature that it produces the same physiological effects that regularly arise as a consequence of childbirth,

- according to the opinion and certification of the attending physician during the miscarriage.
- m. The employee who adopts a preschool child, which means a child five (5) years of age or younger who is not enrolled in a school Institution, in accordance with the legislation and legal procedures in force in Puerto Rico or any jurisdiction of the United States, shall be entitled to the same maternity leave benefits at full pay as the employee who has a normal childbirth. In the event that she adopts a child six (6) years of age or older, she shall be entitled to maternity leave with full pay for a term of fifteen (15) days. This leave shall commence as of the date on which the child is received in the family nucleus, which must be evidenced in writing.
  - n. Maternity leave shall not be granted to employees who are on any other type of leave, with or without pay. Exceptions to this provision are employees who have been authorized vacation leave or sick leave and employees who are on leave without pay due to complications prior to childbirth.
  - o. An employee who is pregnant or adopting a child is required to notify UCB in advance of her plans for maternity leave and her plans to return to work.
  - p. UCB will make a lump sum payment to the employee on the date maternity leave begins.
  - q. If the employee returns to work before the expiration of the postpartum leave period, she will be obliged to reimburse the balance corresponding to the maternity leave not taken.
  - r. In case of death of the newborn prior to the end of the maternity leave period, the employee shall be entitled to claim only that part of the postpartum period that completes the first eight (8) weeks of unused maternity leave. In such cases, the employee shall be entitled to any other leave to which she may be entitled.

## 5. Lactation Leave

- a. Pursuant to Law Number 239 of November 6, 2006, nursing mothers shall be granted time so that, after enjoying their maternity leave, they may have the opportunity during one (1) hour within each full-time workday to express their breast milk in the place provided for such purpose in the workplace. The daily hour of breastfeeding leave may be distributed in two (2) periods of thirty (30) minutes each or in three (3) periods of twenty (20) minutes each.
- b. In the case of employees who work part-time and the daily workday exceeds four (4) hours, the period granted shall be thirty (30) minutes for each period of four (4) consecutive hours of work.
- c. Lactation leave within the workplace shall have a maximum duration of twelve (12) months, counted from the employee's return to the duties and responsibilities of her position.
- d. Female employees who wish to make use of this benefit must submit to UCB a medical certification, during the period corresponding to the fourth (4th) and eighth (8th) month of the infant's age, stating and certifying that she is breastfeeding her baby. The certification must be submitted no later than five (5) days after the beginning of each period.
- e. The UCB will designate an area or physical space that guarantees the nursing mother privacy, safety and hygiene, without this designation entailing the creation or construction of physical or organizational structures and subject to the availability of resources. The UCB will establish a manual on the operation of this breastfeeding space.

## 6. Military License

Military leave will be granted in accordance with the following:

### 1. Military Training

Employees belonging to the National Guard of the Government of Puerto Rico and to the Reserve Corps of the United States shall be entitled, pursuant to Act No. 62 of June 23, 1969, as amended and better known as the Military Code of Puerto Rico, to a Military Leave with pay up to a maximum

of thirty (30) working days for each calendar year during the period in which they are employed. 62 of June 23, 1969, as amended and better known as the Military Code of Puerto Rico, to a Military Leave with pay up to a maximum of thirty (30) working days for each calendar year during the period in which they are rendering Military Services as part of their annual training or in Military Schools, when so ordered or authorized by virtue of the provisions of the laws of the United States of America or of the Commonwealth of Puerto Rico. When such active federal or state military service is in excess of thirty (30) days, the employee shall be granted leave without pay. However, at the request of the employee, the excess may be charged to the employee's accrued vacation leave. The application of these provisions is mandatory for all employees.

## 2. State Active Service Calls

Employees who are members of the National Guard and are called by the Governor to State Active Military Service due to an emergency situation that has occurred or any other situation that develops due to natural or emergency causes, shall be granted Military Leave with pay for a term of thirty (30) days. If the activation period is extended for a term longer than thirty (30) days, military leave without pay shall be granted for the entire period in which he/she remains active. Also, you will retain during the activation period all fringe benefits that had been granted by UCB and that you were enjoying at the time of activation. These benefits This will be retained under the same terms and conditions existing prior to such activation. leave will be granted in the following cases:

- i. when public safety so requires in such cases as: war, invasion, insurrection, rebellion, riot, public disorder or imminent danger thereof;
- ii. in cases of natural disasters, such as hurricanes, storms, floods, earthquakes, fires and other force majeure events;



- iii. in support of law enforcement officers in narcotics trafficking control functions;
- iv. to receive, dismiss and provide transportation and escort services to dignitaries and to participate in parades, marches, military reviews and similar ceremonies;
- v. when it constitutes a viable alternative to provide specialized services in health, technical engineering equipment or education and because they are not also available from civil, public or commercial sources.

This military leave is independent of the paid military leave granted to members of the National Guard, up to a maximum of thirty (30) days per year to attend their annual training or military schools.

### 3. Active Military Service

Employees members of the Armed Forces<sup>1</sup> who are ordered to active military service will be granted military leave without pay for the duration of the order. Likewise, such leave shall be granted to those employees who voluntarily enter the Armed Forces.

Military leave without pay shall apply in those cases in which the employee renders active military service in accordance with the Federal Selective Service Act for a period of four (4) years and up to a maximum of five (5) years, provided that this additional year is officially required and by the Army Division to which he/she entered. If the employee voluntarily extends the military service, after the end of the periods of service indicated, it will be understood that he/she resigns from his/her position and the position will be

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<sup>1</sup> Pursuant to the Federal Armed Forces Uniform Services Employment and Reemployment Rights Act (USERRA) Act, Public Law 103-353 of October 13, 1994 (38 U.S.C. 4303 (16)), the Armed Forces are comprised of the following agencies: Army, Navy, Marine Corps, Air Force, Coast Guard, and their corresponding Reserve Corps; National Guard and Air National Guard; Commissioned Corps of the Public Health Service; and any other category of persons designated by the President in time of war or emergency.

vacated. Employees must submit a copy of the military order issued in their name.

In case the active military service is caused by a declaration of war or emergency, it is authorized to use the remaining thirty (30) days with pay granted annually for military training of the National Guard or Reserve to credit them to the initial absences, as long as they remain in a military camp.

These employees will retain accrued sick and vacation leave until their return from active military service. However, initial absences from the military order may be charged against the employee's accrued vacation leave, provided the employee voluntarily so requests in writing. In the event the reservist or National Guard employee requests that he/she be allowed to take accrued vacation leave prior to military leave without pay, UCB may grant such leave provided it does not exceed a maximum of eighteen (18) working days during the calendar year. It may also grant the excess vacation leave accrued and not taken for the needs of the Institution, if any, both that which corresponds to the previous calendar year and the excess of thirty-six (36) days you have during the calendar year in which you were called to active duty.

Any leave with pay granted shall precede military leave without pay. Once the latter is granted, it shall continue in effect without interruption for the duration of the military order. Sick leave, by its nature, shall remain accrued while the employee is on active military duty.

No person, regardless of his or her relationship to the employee called to active duty, may act, sign or authorize any act on behalf of the employee, except if he or she has been officially designated as his or her legal representative by virtue of a duly granted military power of attorney. If any regular or probationary employee called to active duty is on leave without pay, granted to occupy another regular position or a fixed-term position with temporary status, this leave shall be cancelled and the employee shall be

reinstated in the position he/she occupies prior to the granting of military leave without pay.

Any employee who has left his or her position to enter active duty with the Armed Forces, upon completion of military service is entitled to be reinstated to his or her former position or to another position of equal or similar classification, status and compensation. In the event that the petitioner is physically unable to occupy his former position and another of equal or similar classification, status and compensation, he shall be re-employed in another position for which he is qualified.

An employee shall not accrue vacation or sick leave while on military leave without pay.

## 7. License for Judicial Purposes

Leave will be granted for judicial purposes, as indicated below:

### a. Official Citations

Any employee officially subpoenaed to appear before any court of law, prosecutor, administrative body or government agency shall be entitled to leave with pay for the time absent from work on account of such subpoenas. An employee shall be granted leave with pay:

- i. when subpoenaed to serve as a witness, in a non-official capacity, for the benefit of the Government in any action to which the Government is a party and the employee does not have a personal interest in the relevant action; and
- ii. when the employee appears as a defendant or respondent in his official capacity.

When the employee is summoned to appear as a defendant or interested party before the agencies, he/she shall not be granted this type of leave. Interested

party shall mean the situation in which he/she appears in the defense or exercise of a right in his/her personal capacity, such as: defendant or plaintiff in a civil action, petitioner or intervenor in a civil or administrative action. In such cases, the time used by employees shall be charged to compensatory time or vacation leave and, if they do not have accrued leave, they shall be granted leave without pay for the period used for these purposes.

b. Jury Service

Any employee who is summoned to appear as a juror in any court of law shall be granted leave with pay for the time he or she is required to perform such duties under Act 100 of 2006. In addition, an employee shall be entitled to receive compensation for meals and mileage in accordance with established UCB regulations, as if on official business of such employee, leave with pay shall be granted to an employee. The UCB shall have the authority to petition the appropriate court to have the employee excused from such service.

In the event the employee, while serving on jury duty, is excused by the court for a period of one or more days, the employee shall return to work, except in special situations, such as: exhaustion or fatigue of the employee attributable to jury duty, by reason of long sessions or night sessions, in which case the employee shall be charged for absences corresponding to vacation leave accrued by the employee. In the event the employee does not have accrued vacation leave, it shall be granted as leave without pay.

c. Compensation for Jury or Witness Service

An employee on judicial leave will not be required to reimburse UCB for any monies received for jury or witness service, nor will the employee's pay be reduced for such service.

## 8. License to Appear as a Witness in Criminal Cases

Leave of absence with pay shall be granted to any employee duly summoned by the prosecution or by the court to appear as a witness in a criminal case, according to Act 122 of July 12, 1986. Upon completion of the employee's appearance as a witness, the prosecuting attorney or the clerk of the court shall issue a certification stating the time he/she had to devote to the appearance with indication of days and hours. The employee must inform his supervisor, with reasonable time, of his need to be absent from work to attend the subpoena and, once he returns to work, must deliver the certification issued by the court.

## 9. Special Sports License

- a. Pursuant to Act 488 of September 23, 2004, special sports leave of up to a maximum of thirty (30) days per year shall be granted to any employee who is duly certified by the Puerto Rico Olympic Committee as a special athlete to represent Puerto Rico in the Olympic Games, Pan American Games, Central American Games, or in regional or world championships. In the case of persons with disabilities, they must be duly certified by the Secretary of Recreation and Sports as athletes to represent Puerto Rico in sporting events upon certification by the local organization recognized by the corresponding international organization for the practice of sports by persons with disabilities.
- b. Any request by the employee athlete in excess of the thirty (30) day limit may be authorized against his/her vacation leave.
- c. To use the special sports license, the employee certified as an athlete by the Puerto Rico Olympic Committee or by the Secretary of Recreation and Sports, as the case may be, shall submit to the UCB, no less than ten (10) days prior to his/her quartering, a certified copy of the document that accredits him/her to represent Puerto Rico in the competition, which shall contain information on the time the athlete will be participating in the competition.

- d. The term athlete includes athletes, judges, referees, referees, technicians, delegates and any other person certified in such capacity by the Puerto Rico Olympic Committee and persons with disabilities certified as athletes by the Secretary of Recreation and Sports.

#### 10. Funeral License

- a. Upon the death of a relative of the employee within the first degree of consanguinity such as: parents, children and siblings, UCB will grant two (2) days off with pay, without charge to any leave, the same will apply in the case of spouse. In the case of other relatives such as: grandparents and uncles and aunts within the collateral line ascending by consanguinity, one (1) day off with pay, without charge to any leave. The employee is required to present evidence.
- b. Only regular employees (exempt and non-exempt) are eligible.

#### Section 18.3 - Unpaid Leaves of Absence

Leave without pay may be granted to an employee to be absent from work for a specified period of time. In addition to the leaves without pay provided in other sections of this Handbook, the following shall be granted:

1. To employees who so request after the birth of a child, providing that this type of leave without pay may be granted for a period not to exceed six (6) months from the date it is authorized.
2. When, due to the impairment or serious illness of a son or daughter, spouse, sibling, parent of the employee, the employee is required to be absent from work to care for the sick or disabled relative. In such cases, the employee must submit to UCB, along with his or her leave request, medical certification attesting to the illness or disability of the family member requiring care and the recommended period of absence.
3. For veterans who are regular employees of UCB, who are guaranteed reinstatement upon completion of their studies.

4. To employees with regular status to attend to extraordinary personal situations at the discretion of the President.

Leave without pay is governed by the following rules:

1. As a general rule, leave without pay may be granted for a period not to exceed one (1) year, however, it may be extended at the discretion of the President when there is a reasonable expectation that the employee will return to work.
2. In the event that the cause for which the leave of absence was granted ceases, the employee must immediately return to his/her employment or notify the Human Resources Office of the reasons for his/her unavailability or decision not to return to his/her former employment.
3. Requests for renewal of leave without pay shall be submitted to the Director of Human Resources on or before thirty (30) days prior to its expiration.
4. The President may cancel a leave of absence without pay at any time, if he/she determines that the purpose for which it was granted is not fulfilled. In this case, he/she shall notify the employee five (5) days prior to the effectiveness of the cancellation, stating the grounds for the cancellation.
5. The employee is required to notify UCB of any change in the situation that prompted the granting of leave without pay or of the employee's decision not to return to work at the end of the leave.
6. Leave without pay may not be granted for a period exceeding the term of the employee's appointment.
7. While the employee is on leave without pay, he/she shall not accrue vacation or sick leave.
8. In cases where unpaid leave is requested due to illness, medical certification will be required, including diagnosis and specific time estimated for recovery.

#### Section 18.4 - Leave of Absence Family Medical Leave

To be eligible for the benefits of this leave, the employee must have worked for UCB for at least twelve (12) months and a minimum of 1,250 hours during the twelve (12)

months prior to the date of application. Family Medical Leave will be granted up to twelve (12) weeks of unpaid leave during any twelve (12) month period.

When both spouses work at UCB, they are jointly entitled to a combined total of twelve (12) weeks of this leave for one or more of the reasons listed in the Act. Some of these are:

1. To care for an employee's newborn child or arrange for adoption or foster care;
2. To care for the employee's spouse, son or daughter, father or mother of the employee who has a serious health condition;
3. To take medical leave when a serious health condition prevents the employee from performing his or her job;
4. For incapacity caused by pregnancy, prenatal medical care or childbirth.

For the purposes of this license, serious health condition means an illness, injury, impairment, or physical or mental condition involving:

1. any period of incapacity or treatment requiring confinement for one night or more in a hospital, hospice or residential medical care facility;
2. any period of disability requiring an absence of more than three (3) days from work, school or other regular daily activities which also requires ongoing treatment by or under the supervision of a medical provider;
3. or ongoing treatment, including prenatal care, by or under the supervision of a health care provider for a condition that is incurable or so severe that, if left untreated, it would likely result in a period of incapacity of more than three (3) days.

Family Medical Leave may be used intermittently under certain circumstances. That is, fragmented, as well as by reducing the daily or weekly workday. In addition, vacation or sick leave will be allowed to be used in full or partial substitution for Family Medical Leave, depending on the justification for the leave. UCB may require employees to request this leave thirty (30) days in advance when the need is foreseeable. They must submit medical certification attesting to the need for the leave due to a serious health



condition affecting the employee or members of the employee's immediate family. This leave will be concurrent with other leaves. The Human Resources Office will evaluate the employee's eligibility, in accordance with the law.

#### Section 18.5 - General Licensing Provisions

1. The President may cancel a leave of absence without pay at any time, if he/she determines that the purpose for which it was granted is not fulfilled. In this case, he/she shall notify the employee five (5) days in advance, stating the grounds for the cancellation.
2. The employee is required to notify the Human Resources Office of any change in the situation that led to the granting of his or her leave without pay or of his or her decision not to return to work at least ten (10) days prior to the end of his or her leave.
3. In the event that the cause for which the leave was granted ceases, the employee must immediately return to work or notify the Human Resources Office of the reasons why he/she is unavailable or his/her decision not to return to the position he/she occupies.
4. In cases of unpaid sick leave, including those related to work-related accidents, and in patterns of absences or tardiness due to illness, the President may require the employee to submit periodically to an examination by a physician designated by UCB to determine the employee's health status. If the employee refuses to submit to a medical examination, the Human Resources Office may initiate a procedure to terminate the employee's employment.
5. Rest days and holidays shall not be considered for purposes of computation of paid leave, with the exception of maternity leave.
6. The days in which the President suspends operations in the Institution due to an emergency and/or atmospheric phenomenon, without charge to vacation leave, shall be counted as days off without charge to any leave, only for employees who are active and not for employees who are enjoying any type of leave with or without pay.

7. The Human Resources Office will ensure that licenses are not used for purposes other than those for which they were granted.
8. Employees will accrue sick and vacation leave during the time they are on any type of paid leave, provided they return to UCB at the end of the applicable leave. Leave credit in such cases will be taken upon the employee's return to work.
9. Disciplinary sanctions may be imposed on an employee for misuse of any leave to which he/she is entitled.
10. In the case of employees whose appointment has a definite duration, leaves of absence may not be granted for a period exceeding the term of the appointment.

#### Section 18.6 - Other Fringe Benefits

1. **Medical Plan - Contribution to the cost of a group medical plan to be contracted from time to time, in accordance with contractual provisions. Employees to be eligible for this benefit must have satisfactorily completed the probationary period, except for employees in management positions whose effectiveness is immediate.**
2. **COBRA - Provides an extension of health plan coverage for employees who terminate employment with UCB and their direct dependents. The option to take advantage of this benefit is voluntary and the employee must pay the full cost of the coverage. Under the following circumstances, the employee may request this extension of medical coverage.**
  - a. By resignation of the employee (until he/she starts a new job that provides a medical plan).
  - b. By termination (except in cases of termination for misconduct in the performance of duties and responsibilities or dismissal).

The extension of coverage will be for eighteen (18) months. The cost will be borne by the former employee, who will pay it monthly. The coverage will terminate when:

- a. Complete the benefit plan
  - b. The former employee ceases to make the corresponding payments.
  - c. No reinstatements will be allowed after defaulting on plan payments.
  - d. The former employee is transferred to another group health plan.
  - e. The former employee is covered by Medicare provisions.
3. SINOT - In accordance with Law number 139, this insurance provides for the payment of part of the salary to the employee due to temporary non-occupational illness or accident. Once this benefit is requested, if eligible, the employee begins to receive it once his/her sick leave balance is exhausted. This benefit has a maximum of twenty-six (26) weeks. If the period of disability is extended, the employee is entitled to an additional twenty-six (26) weeks without pay. In this case there is a maximum employment reserve of three hundred sixty-five (365) days. UCB will pay the full premium for the Non-Occupational Disability Insurance provided by Act No. 139 of June 26, 1968, as amended.
4. Chauffeur's Insurance - The Law provides a security plan for the benefits of chauffeurs and other employees who, as part of their duties and responsibilities, operate motor vehicles. This insurance provides for the payment of benefits in case of illness or total and permanent disability. The employee has an employment reserve period of three hundred and sixty five (365) days. Once the employee is discharged, he/she has up to thirty (30) days to apply for reinstatement of employment. In order for the employee to be entitled to be reinstated in employment, the position must exist and the employee must be physically and mentally fit to perform the job.
5. Unemployment Insurance - Pursuant to Act No. 101-1977, as amended, the Puerto Rico Employment Security Act, employees who at the date of termination of employment have worked for an uninterrupted period of five (5) quarters, may be granted the right to receive unemployment insurance benefits, the costs of which UCB will assume through the reimbursement system.

6. Life Insurance - UCB will pay the entire premium. The benefit is one (1) times the annual salary earned by the employee at the time of death. Depending on the age of the employee, the benefit amount is reduced, according to the terms and conditions of the contract with the insurance company.
7. Christmas Bonus - The amount employees shall be entitled to receive is up to a maximum of six hundred (\$600.00), subject to applicable regulations.
8. Defined Contribution Plan - Participation is voluntary, after six (6) months in the position the employee may request to participate in this benefit.
9. Academic and Administrative Recess - Period in which the President declares an administrative and academic recess from December 24 until the working day immediately following the celebration of January 6 (Three Kings Day) of the following year, approximately.
10. Birthday - The Institution will grant the employee's birthday off with pay, subject to prior approval of the employee's supervisor. The employee may enjoy this benefit up to a maximum of fifteen (15) days from the employee's birthday. Upon expiration of this term, the employee loses this benefit. The supervisor shall ensure that no two (2) employees enjoy this benefit at the same time.
11. Employee Assistance Program (EAP) - UCB offers employees and their immediate family the Employee Assistance Program to provide confidential professional help for those facing personal, family, stress, anxiety, marital or relationship problems, psychological problems, problems related to drug or alcohol use and abuse, and others, so that they can receive professional help.

In addition to the fringe benefits or leaves of absence included in this Handbook, the President may grant any additional benefits or modify existing benefits at any time. Employees shall be notified of such changes.

#### ARTICLE 19 - REMUNERATION RULES

UCB's remuneration policy should promote the improvement of the economic conditions of employees, so as to ensure uniformity of remuneration in the setting and administration of salaries. In addition, it must preserve and stimulate the

placement of personnel where its use is more effective according to the individual potentialities and the capacity demonstrated by the employees.

Other areas such as training and development and employee fringe benefits also have a high compensation content. The compensation policy has a significant impact on the relationship between the organization and its employees, which is reflected in organizational loyalty, commitment and especially productivity.

The area of employee compensation is one of the most important in achieving a modern and balanced personnel administration system. It is therefore necessary to establish a compensation system that, in accordance with the constitutional principle of equal pay for equal work, promotes uniformity, equity and fairness in the setting of salaries.

To achieve equity, factors such as complexity of duties and responsibilities, degree of responsibility and discretion, qualifications and experience requirements, degree of difficulty in recruiting and retaining employees, working conditions, prevailing wages and fringe benefits, cost-of-living indications, and tax possibilities come into play in formulating compensation policy according to the significance these factors have for the various sectors and occupational lines.

In addition, for the optimum utilization of human resources, individual and comparative evaluation of employees based on uniform standards and criteria is a must. The President, with the due advice of the Human Resources Office or any natural or juridical person of recognized competence in the discipline, shall keep up to date the separate Compensation Plans for administrative positions, in harmony with the Job Classification Plan, the state and federal legislation governing the setting of salaries. Such plans will be oriented to attract and retain the most qualified personnel and to recognize the achievements of employees, taking into account the needs of UCB and its fiscal capacity.

### Section 19.1 - Compensation Plan Structure

1. The Compensation Plan shall contain a number of salary scales, each consisting of a minimum and a maximum rate.
2. The assignment of job classes to pay scales shall be guided by the objective of providing equity in salary setting.

### Section 19.2 - Compensation Standards

The policy set forth in this Manual provides for equitable and fair treatment in the setting of salaries and other forms of compensation. To ensure this objective, the following is established:

#### Appointments

As a general rule, any person appointed shall receive as salary the minimum rate of the salary scale to which the type of position he/she is to occupy is assigned. No employee may receive less than the minimum salary. A higher salary may be granted, if the fiscal situation permits, in order to attract the candidate in the following cases:

- a. when there are difficulties in recruiting;
- b. the candidate's qualifications exceed the minimum requirements of academic preparation or specialized experience;
- c. positions requiring a high level of experience or academic preparation.

Supervisors shall refrain from making salary offers to candidates during the interview process and shall only be empowered to report the minimum salary of the pay scale where the class of the position to be recruited is located, of the candidate requesting the information.

## 1. Promotions

- a. A promotion occurs when an employee is assigned to a vacant position of greater complexity and responsibility, and the position is therefore higher on the salary scale than the position previously held. All promotions will entail an increase in the salary earned by the employee at the time of the transaction.

## 2. Descents

- a. In cases of demotions due to institutional needs, the employee will retain the salary held in the previous position. When the demotion is made at the employee's request, the salary will be affected, as it will be adjusted to the salary the employee had prior to occupying the current position.

## 3. Transfers

- a. As a general rule, transfers will not result in a salary increase.

## 4. Interim

- a. An interim is a temporary work situation in which the regular employee performs all or part of the core duties and responsibilities of a position superior to the one he/she holds. The period worked for interim work will be considered as valid credited experience. The interim differential is a special and additional compensation separate from salary and shall cease to have effect once the reasons that gave rise to its approval have ceased to exist. It shall be granted if the employee performs the interim work for thirty (30) days or more.

## 5. Differentials

The Human Resources Office may recommend differentials to the President to mitigate extraordinary circumstances in favor of employees in the following cases:

- a. When extraordinary temporary working conditions exist that require increased effort or risk to the employee while performing the duties and responsibilities of the position he/she holds.
- b. As a general rule, spreads will be prospective in nature.
- c. The differential constitutes a special temporary compensation, additional and separate from the employee's regular salary. It shall cease once the conditions that gave rise to its concession disappear.
- d. The amount of the differential for extraordinary working conditions will be determined according to the circumstances of each case.
- e. No differential granted may be considered as an integral part of the employee's regular salary for the purpose of computation of leave pay for the payment of excess vacation pay or for the computation of retirement pension.
- f. An employee who receives a differential and is absent, for any reason, except for official business or scheduled vacation for a period of five (5) or more consecutive days, will have the total number of days absent deducted from the special compensation. This is because pressing institutional needs or major special projects are not occurring during the absence and special compensation is not payable. The employee will be required to notify the Human Resources Office in order to receive the discount for the number of days he/she will be absent or absent. If the employee is forced to take an unplanned leave of absence, he/she must notify the Human Resources Office the next working day he/she reports. Failure to notify the employee of the absence will result in the employee being required to reimburse the employee for the improper charge.



## 6. Productivity Salary Increases

The President may grant productivity pay increases to recognize outstanding performance. To be eligible for this increase, the employee must have performed the duties and responsibilities of his or her regular position for twelve (12) consecutive months at UCB prior to the date the increase is granted and his or her evaluations must be commensurate with the increase to be granted. Increases will be contingent upon UCB fiscal resources and individual performance evaluation, as provided in an evaluation system to be adopted. In granting these increases, consideration will be given to efficiency, the employee's record of conduct and attendance, and the cooperation and interest shown by the employee in the performance of his or her job. When for budgetary reasons it is not possible to grant the increase, an alternative compensation alternative may be considered.

## 7. Alternative Compensation Methods

In order to recognize the productivity, efficiency and quality of work performed by employees, the President may use special compensation mechanisms consisting of economic and motivational incentives to retain, motivate and recognize personnel. Likewise, he/she may use these mechanisms to attract qualified candidates for positions that are difficult to recruit.

## **FIFTH CHAPTER**

### **ARTICLE 20 - WORKING HOURS AND ATTENDANCE**

#### **Section 20.1 - Working Time**

1. The regular weekly workday for employees shall not exceed forty (40) hours, based on five (5) working days, except as otherwise provided by budget control. The regular daily workday shall not exceed eight (8) hours. Employees shall be granted two (2) days off for each regular workweek.

2. The employee's regular workweek shall consist of the number of hours within a period of seven (7) consecutive days that the employee is required to perform his or her duties and responsibilities, in accordance with his or her regular work schedule. Normally, the regular work week shall consist of Monday through Friday, with Saturday and Sunday as rest days. However, for institutional needs, a regular weekly workday may be established for all or part of the employees beginning and ending on any day of the week, as long as the workday includes five (5) working days and two (2) rest days.

### Section 20.2 – Hours

As a general rule, the regular daily work schedule will be established on the basis of a fixed starting and quitting time, although UCB may adopt a system of flexible, extended, rotating or staggered shifts according to institutional needs. No employee is authorized to change his/her work schedule without the approval of the immediate supervisor and the Human Resources Office.

Due to the needs of the Institution, you may be required to work on Saturdays, Sundays, holidays, as well as overtime. The work schedule may vary according to the needs of the Institution.

### Section 20.3 - Attendance Record

All employees are responsible for recording their attendance electronically using the time clocks located in different areas of UCB. All exempt employees must electronically clock in and out of work each day, with the exception of the President and Vice President.

Non-exempt employees must record their daily attendance in four (4) instances (clocking in, clocking out, clocking in, clocking in, clocking out). Alteration or falsification of an employee's attendance record will result in disciplinary action up to and including termination.

It is the responsibility of each supervisor to review the electronic attendance record prior to submitting it to the Human Resources Office. Each employee must ensure that the attendance record is submitted for processing in accordance with the established payroll calendar.

#### Section 20.4 - Period for Taking Food

1. UCB will grant each employee one (1) hour for food during the regular daily workday. The period shall begin to be taken by the employee no earlier than the end of the third (3<sup>ra</sup>) hour and no later than the end of the fifth (5<sup>ta</sup>) consecutive work hour. By written agreement between the employee and an authorized UCB representative, the meal period may be reduced to one-half ( $\frac{1}{2}$ ) hour for institutional needs and/or employee convenience.
2. UCB will schedule its work in such a way that the employee will be able to enjoy the meal period. The immediate supervisor, because of an emergency situation or institutional need, may require the employee to work during the meal period or part of the meal period.
3. The Director of Human Resources may authorize the reduction of the meal hour for a period of not less than one-half hour, at the request of the employee for just cause and without affecting the continuity of services.

#### Section 20.5 - Hours Worked

Hours worked shall include all time during which an employee is required to work or remain at the place of work or at a particular place of work and all time during which the employee is ordered or authorized to perform work or is permitted to perform work even if not authorized to do so.

#### Section 20.6 - Overtime

1. The work schedule shall be formulated in such a way as to minimize the need for work in excess of the regular hours established for employees. However, the President, due to the special nature of the Institution's operations or any emergency situation, may require employees to work more than their daily or weekly workday on any holiday or on any day on which an administrative recess

has been declared. For the purposes of this subsection, overtime is all additional hours worked in excess of forty (40) hours of the regular weekly workday.

2. Hours worked shall not be considered as hours worked when the employee is on any type of leave of absence.
3. In such cases, prior written authorization must be obtained from the employee's supervisor. Supervisors shall take measures so that when an employee remains at work it is always by virtue of an express authorization and shall be responsible for the appropriate use of human resources outside the regular daily workday.
4. Officers and managerial employees classified as: professionals, administrators or executives, as defined in Regulation 13 of the Department of Labor and Human Resources, are exempt from the overtime pay provisions.
5. The hours that the exempt personnel shall not be charged to any of their regular leave, provided that they complete their regular weekly workday of forty (40) hours physically worked, which shall be computed at the end of each week. This provision should be interpreted as an exception measure and in no way exempts exempt personnel from their responsibility to comply with their regular work schedule and to require authorization from their immediate supervisor for any alteration in their regular daily workday, according to the established rules.

None of the foregoing provisions shall be interpreted in such a way as to violate the Federal Fair Labor Standards Act with respect to overtime hours worked and the compensation received by the employee for such work.

#### ARTICLE 21 - EMPLOYEE FILES

The Human Resources Office will maintain the following files for each employee following:

1. One that reflects the employee's complete history from the date of original entry into UCB through the date of final separation from the Institution.

2. A separate, confidential copy containing instructions, determinations and certifications of a medical nature, as required by the Americans with Disabilities Act (ADA).
3. File Form I-9, in compliance with current federal legislation.

Employee files must reflect the complete history of employees from the date of their original entry into UCB until the time of their final separation. The Office of Human Resources will be responsible for the retention, custody, and maintenance of records.

#### Section 21.1 - Updating Personnel Information

It is the responsibility of each employee to notify the Human Resources Office of any changes in the information originally provided to the Human Resources Office. Mailing address, telephone number, number and names of dependents, emergency contact, and educational and occupational history are just some of the information that must be updated whenever necessary. In the event of an emergency, the persons notified will be those designated by the employee.

#### Section 21.2 - Classification of Records

Employee files will be classified as active or inactive. Employees who remain actively involved with UCB will be considered active and those who have left the Institution will be considered inactive.

#### Section 21.3 - Contents of the Records

A file shall be opened for every employee to whom any type of appointment is issued, which shall be identified with the employee's full name. In this file shall be filed and kept, among others, the original or copy of the following documents:

1. Application for Employment
2. Certification of Birth Certificate or copy of Birth Certificate
3. Certificate of Criminal Record issued by the Puerto Rico Police.
4. Change reports on status, salaries, classification, promotions, transfers, demotions and other personnel transactions

5. Performance evaluations
6. Documents reflecting the granting of salary increases or any other aspect related to remuneration
7. Letters of commendation for high performance or excellence in performance
8. Documents reflecting disciplinary actions
9. Letters of amendment to documents forming part of the dossier
10. Communications regarding promotions, transfers and demotions
11. Evidence of training, paid study leave and tuition payments
12. Documents related to paid and unpaid leave
13. Evidence of academic preparation in original or transcript of college credits
14. Certificate of membership when required by the position held
15. Authorizations for salary deductions or others authorized by law
16. Other documents required at the time of appointment.

#### Section 21.4 - Medical Record

A medical file per employee shall be maintained, in a confidential manner, separate from the personnel file, which shall include documents related to the State Insurance Fund, occupational accidents, medical certificates and other related documents.

#### Section 21.5 - Custody and Examination of Records

The Director of Human Resources shall be the custodian of employee records, who may delegate custody and responsibility to a representative of the Human Resources Office.

1. Individual employee records shall be confidential and may be examined only for official purposes, by order of a court or competent agency, or when authorized in writing by the employee for other purposes. The custodian of the records is responsible for the confidentiality and the use or disclosure in written or oral form of the information contained in the records.
2. Every employee has the right to examine his or her file in the company of the records custodian. The employee must submit the request to examine the file at least three (3) working days in advance.

3. Active employees may obtain copies of the documents contained in their files upon payment of the cost of reproduction, plus any fee required by law. Requests for copies shall be made in writing no less than five (5) days in advance. Within the indicated term, a copy of the requested document shall be delivered, provided that institutional needs so permit.
4. The custodians of the files may delegate to subordinates the official representation to examine the file.

#### Section 21.6 - Retention and Disposition of Records

All documents pertaining to the individual files of active and inactive employees will be retained and kept on file. Act in accordance with UCB's document management, retention, and disposition policy.

### ARTICLE 22 - RELATIONS WITH THE EMPLOYEE

#### Section 22.1 - Objectives

It will be UCB's responsibility to establish an Employee Relations Program (Program), which will promote the development of full awareness and understanding of their duties and responsibilities and a sense of loyalty to the Institution that will allow them to create a work environment that contributes to satisfaction, motivation, harmonious relations and mutual understanding. The Program should be oriented to the achievement of the following objectives:

1. Improve personnel relations in order to foster the development of positive attitudes in employees, in their relations with colleagues, supervisors and supervisees.
2. Determine the real expectations of employees in order to adopt measures to achieve the highest possible employee satisfaction.
3. To offer employees all possible assistance to receive the professional services they may need, in order to modify attitudes and behavioral styles in their relationships with their colleagues and the different levels of supervision.

4. Offer incentives such as awards and recognition, aimed at identifying employees with UCB and increasing their productivity and achieving personal satisfaction in the tasks they perform.
5. Promote effective communication among all hierarchical levels of UCB in order to maintain a work environment conducive to productivity.
6. To achieve preventive intervention to avoid interpersonal conflicts.
7. Create spaces for effective participation that give employees the opportunity to express their ideas and present proposals and suggestions aimed at improving the functioning of UCB and establish effective communication networks.

The Program should incorporate other programs and services to employees such as the Employee Assistance Program (EAP), job-related guidance and counseling, attention to suggestions, recreational and cultural activities, awards and recognitions, and attention to complaints and grievances.

## **CHAPTER SIX**

### **ARTICLE 23 - PROCEDURES**

The President shall approve the procedures and policies necessary for the implementation of this Manual.

### **ARTICLE 24 - ADMINISTRATIVE PROCEDURES**

#### **Section 24.1 - Institutional Policy**

It is UCB's policy to promote the best working relationships and effective communication at all levels of the Institution.

#### **Section 24.2 - Unit of Work**

Any employee who has a concern regarding his or her employment status should raise it in the first instance with his or her immediate supervisor. The immediate supervisor will address the situation with reasonable promptness. If the concern is not addressed or the employee is not satisfied with the solution or alternative provided



by the supervisor, he/she should go to the supervisor's supervisor. If the employee is not satisfied with the solution or alternative provided, he/she should contact the Human Resources Office.

#### Section 24.3 - Office of Human Resources

The Director of Human Resources shall be responsible for addressing the issues raised by employees in accordance with the provisions of this Article, within a reasonable time, in consideration of the complexity and urgency of the matter raised.

#### Section 24.4 - Chair

If the affected employee is still not satisfied, he/she must file a complaint with the Office of the President within fifteen (15) consecutive days of receipt of the determination and/or notification from the Human Resources Director. He/she shall receive a response to his/her complaint within thirty (30) days.

### ARTICLE 25 - GENERAL EMPLOYMENT POLICIES (Summary)

The Universidad Central de Bayamón, as well as in any other organization, there is always the need to be governed by a series of regulations, policies and norms that govern the conduct of employees. Our policies or general employment standards will help to avoid misinterpretations, so that every employee will be oriented on how to govern their behavior.

Our most important objective is to offer our students a quality service with the diligence, promptness and attention required by educational institutions in Puerto Rico. By joining us, you commit yourself to further this mission and to comply with the standards of conduct and work required by our Institution.

As human beings, and especially as part of an education and service industry, we need standards of work conduct that tell us what is expected of each of us. Meeting these standards requires only a reasonable, good faith effort.

You should read carefully and make sure you understand the scope of each of the rules contained in the handbook, a copy of which has been provided to you. Violation

of one or more of the policies or standards contained in the handbook constitutes just cause for corrective action, including, in those cases that warrant it, dismissal.

The policies listed in the handbook are not exhaustive. Bayamon Central University reserves the right to modify, change, eliminate or revise any of the policies or norms established in this manual at any time.

### Open Door Policy

Universidad Central de Bayamón (UCB), understands that open communication is essential to maintaining good staff relations. Occasionally questions or problems may arise in the course of employment that can only be answered or resolved if brought to the attention of and discussed with your supervisor or the Director of Human Resources.

If you have a situation or a question, in the first instance you should discuss it with your immediate supervisor, since he or she has a vested interest in helping you and knows your work environment better than anyone else. However, if the situation is one of such a nature that you feel uncomfortable discussing it with your supervisor, then you should consult with the Human Resources Director. Therefore, you are encouraged to keep the doors open to dialogue with the Institution regarding any issue, problem or situation that concerns you, worries you, or affects you in the performance of your duties.

Universidad Central de Bayamón will guarantee the confidentiality of these dialogues, as circumstances may warrant. No retaliation will be taken against any employee for claiming benefits to which he/she is entitled by law or according to the policies of the Institution, or for reporting any possible violation of law by any employee of Universidad Central de Bayamón.

### Equal Employment Opportunity

Bayamon Central University, in compliance with federal and state laws, establishes this policy as a firm believer in the right that all persons should be treated equally without regard to age, race, color, sex, morbid obesity, sexual preference or gender identity, marriage, social or national origin, political affiliation, political or religious beliefs, status as a Vietnam Era veteran, status as a veteran or disabled or handicapped person, or for being a victim or perceived victim of domestic violence, assault or battery, or for being a victim or perceived victim of domestic violence, assault or battery, status, political affiliation, political or religious beliefs, status as a veteran of the Vietnam Era, veteran or disabled status, or person with a disability, or for being a victim or perceived victim of domestic violence, sexual assault, discrimination or stalking, or for any other category prohibited by law. Employment decisions will be made solely on the basis of job-related criteria and in accordance with local and federal laws prohibiting employment discrimination.

### Immigration Enforcement

It is the Institution's institutional policy to comply with all federal regulations including those established by the U.S. Department of Immigration. In compliance with the Immigration Reform and Control Regulations of 1986, each new employee, as a condition of employment, will complete the Employment Eligibility Verification (Form I-9), and present documentation that establishes his/her identity and eligibility for employment.

### Anti-retaliation policy

It is the policy of Universidad Central de Bayamón to faithfully comply with the legal provisions that provide that no employer may discharge, threaten or discriminate against an employee with respect to the terms, conditions, compensation, location, benefits or privileges of employment because the employee offers or attempts to offer, verbally or in writing, any testimony, expression or information before a legislative, administrative or judicial forum in Puerto Rico, as well as; the testimony, expression or information that he/she offers or attempts to offer, in the established internal procedures of the company, or before any employee or representative in a position of authority, when such expressions are not defamatory or constitute disclosure of privileged information established by law

### Harassment/Discrimination

It is the policy of Bayamon Central University to comply faithfully with the legal provisions that protect directors, supervisors, employees, students, contractors, visitors, applicants and candidates for employment against the illegal and discriminatory practice of sexual harassment, preventing, discouraging and avoiding sexual harassment. It also has the responsibility to take the necessary measures to achieve this purpose.

In harmony with the above, UCB strongly prohibits this illegal and discriminatory practice, and therefore will not tolerate such undesirable behavior in the workplace; and is committed to maintaining its work areas free of sexual harassment, establishing responsibilities and imposing penalties. The Constitution of the Commonwealth of Puerto Rico categorically establishes that the dignity of the human being is inviolable, that all persons are equal before the law and that no discrimination may be established based on race, color, sex, birth, origin, social condition, or political or religious ideas.

Sexual harassment in the workplace, in addition to being a form of gender discrimination, is a practice against the best interests of the Institution and, therefore, will not be tolerated in any of its manifestations. It is our public policy to comply with all legal and jurisprudential standards that protect supervisors, employees, visitors, students, applicants and candidates for employment and contractors against sexual harassment in the workplace. To improve quality in the UCB workplace, sexual harassment, sexual orientation or gender identity discrimination among supervisors, employees, visitors, students, applicants and candidates for employment, and contractors in any form is strictly prohibited.

Deans, directors, coordinators, and supervisors, throughout UCB, as well as Contractors, shall have the responsibility to set a good example for staff and to ensure strict compliance with this policy. No conduct by any supervisor, employee, visitor, student, applicant and candidate for employment, and contractor that could be

construed as any unwanted sexual approach in the form of direct or indirect sexual advances, ranging from the most subtle and disguised acts of verbal or physical contact to simple or aggravated sexual assault, will be permitted. As well as, communications, conduct or expression flowing using telecommunication or work tools. Any person alleged to have incurred in the prohibited conduct will be subject to investigation, and if found guilty of the charges, will be punished according to the severity of their deviation from the norm.

UCB is responsible under the provisions of law, to maintain such workplace free from sexual harassment or discrimination based on age, race, color, sex, marriage, national or social origin, social status, sexual orientation, gender identity, genetic information, Vietnam War veteran status, disabled veteran status, political or religious beliefs, or handicapped person, or being a victim or perceived victim of domestic violence or sexual assault or stalking by any other category prohibited by law, political or religious beliefs, or disability, or for being a victim or perceived victim of domestic violence, sexual assault, or stalking by any other category prohibited by law, where supervisors, officers, employees, visitors, students, applicants and candidates for employment, and contractors feel respected and free from threats of a sexual nature.

To achieve this objective, action will be taken to:

1. Disseminate the public policy to all employees, orient them on the prohibition of sexual harassment in the workplace and ensure an environment of respect and dignity.
2. Publicize in the UCB so that job applicants are aware of the protection afforded by law against this type of offensive conduct.
3. Instruct supervisors, through lectures or written documentation, about their responsibility to maintain a work area free of sexual harassment or any type of discrimination.

4. Instruct supervisors of their duty to immediately inform the Human Resources Director or the President, as the case may be, of any complaint initiated by any employee, customer or person alleging sexual harassment.
  
5. Establish an adequate and effective internal procedure to address complaints of sexual harassment, including the corresponding investigation and the holding of an informal administrative hearing when appropriate. Said hearing shall comply with the due process of law applicable to administrative law.

#### Conflict of interest

Our Institution requires the total dedication and commitment of each of its employees. This is possible if our loyalty is not divided with interests other than those congruent with our role in the Institution.

For this reason, no employee of our Institution may maintain professional or commercial relations with any other Institution or organization that has, has had or is in the process of having commercial relations or that is, has been or may be our competitor. Furthermore, no employee of the Institution may use, sell, provide or transmit knowledge, materials or information acquired during his or her employment with the Institution for his or her benefit. Every employee must work in a manner that safeguards and respects the confidentiality of the work performed daily.

Likewise, every employee shall have the obligation to notify the Institution's management, through his/her immediate supervisor, when any member of his/her immediate family has, has had or is in the process of having business interests with our Institution. The supervisor must notify the Human Resources Director immediately of the information received.

Employees of this Institution or their immediate family members may not have any personal interest or involvement of any kind with any supplier, service provider, contractor or competitor that would impair or appear to impair the independent judgment necessary for any transaction, operation or action to be impartial and to

affect the best interests of the Institution. No employee of the Institution may solicit gifts, gratuities, favors, loans, special attention or any item or object of value from suppliers, contractors or competitors. Promotional material of nominal monetary value, such as: pencils, pens, key chains, notepads, or other similar items are excluded from this provision.

No one shall accept gifts, entertainment or courtesies that he or she cannot reciprocate within his or her corporate authority. Nor shall they accept gifts, entertainment or courtesies in such a manner and with such frequency as to impair their best judgment or independent judgment.

Any employee who is offered or receives any such payments or gifts greater than those of nominal monetary value shall immediately refuse and shall prudently return it to the donor in a measured manner, advising the donor of the existence of this institutional policy prohibiting its acceptance and shall immediately notify his or her Supervisor of such situation.

No employee may engage in any activity or work outside his or her duties at the Institution that may conflict with this practice. All employees must avoid activities that may adversely affect the independence and objectivity of their judgment.

In those cases, in which the employee understands that some type of conflict may exist, he/she shall immediately notify his/her superiors for analysis and recommendations. Violations or probable violations of this practice shall be immediately reported to the Human Resources Office and the President's Office for investigation. Violations that are confirmed will result in disciplinary action that could lead to termination of employment, civil or criminal prosecution.

Any retaliatory action against an employee who in good faith reports a violation or probable violation will be investigated and appropriate disciplinary, civil or criminal action will be taken.

### Occupational Health and Safety (law #16/August 1975)

The Institution in its interest to comply with its responsibility to maintain a safe and healthy work environment for all its employees, students, parents and visitors has established rules in accordance with Law #16 of August 15, 1975, in order to provide an employment center free of recognized risks that are causing or may cause physical harm to its employees.

#### Occupational Health and Safety Rules

1. The following are the Occupational Health and Safety Rules of our Institution. Firm compliance with these rules will provide us with a safe and healthy work environment, free of risks that may affect our health or well-being. These are general rules, but in your respective work areas there may be more specific rules that you should follow:
2. Occupational safety is prevention. All personal protective equipment issued to you must be used in designated areas and locations. It is the employee's responsibility to protect their protective equipment.
3. All accidents must be reported to your supervisor and the first aid unit of the Institution without delay. In case of an accident, the patient shall be moved to the nearest hospital or medical service room. Avoid coming into contact with blood and body fluids of an injured person who has suffered blood loss. Only emergency medical personnel or first aid will provide the service.
4. In the event of a fire emergency immediately notify your supervisor and the first aid unit and proceed to vacate the work area through the nearest emergency exit. Move to the designated counting area once outside the building.
5. Emergency exits and fire extinguishers or fire hoses should never be blocked.
6. Aisles that constitute emergency exits should be kept clear of obstructions and stored materials or equipment. Avoid running or walking hurriedly on stairs. Always use handrails when ascending or descending stairs. Help keep transit areas free of water or other liquids.



7. To reach equipment or materials at higher levels use a ladder.
8. Seek assistance in lifting heavy loads.
9. All work on heavy equipment or machinery must be performed only by authorized personnel trained in its operation.
10. It is prohibited to lock, remove, or disable any lock or guard on any machine or equipment.
11. Promptly report any damage you observe in your work equipment or machinery.
12. All signs or notices posted in the Institution shall be followed to the letter.
13. Every employee shall maintain proper conduct and carry out actions to prevent accidents and comply with applicable occupational safety regulations.
14. These rules must also be observed by contractors, students and visitors. The person hiring or supervising them must ensure that they comply with these rules.

#### Electronic Surveillance System

The purpose of the electronic surveillance system through video cameras is to regulate the use of security cameras in the facilities of the Universidad Central de Bayamón (UCB) as a measure to protect the property and safety of employees, students, visitors, suppliers and contractors who visit UCB against assault, theft, fire, vandalism, accidents, access by unauthorized personnel, and any action or omission that would hinder the operation of the electronic surveillance system against the best interests and the proper and normal functioning of UCB operations. This policy applies to the electronic surveillance system on UCB property, balancing the individual's right to privacy in those areas where such an expectation exists with the employer's right to the protection, security, and management of operations on its property. The cameras will record images without audio of any legal or illegal activity occurring within their field of recording. This surveillance system through video cameras shall operate seven (7) days a week, twenty-four (24) hours a day with the intention of:

1. Protect the property and safety of employees, students, visitors, contractors, and suppliers visiting UCB against assault, theft, fire, vandalism, accidents, access by unauthorized personnel, and any act or omission that would hinder the operation of the electronic surveillance system against the best interests and the proper and normal functioning of UCB operations.
2. Promote a safe environment that discourages criminal acts, theft, sabotage, vandalism, and any other act against UCB property and persons on the premises.
3. Detect and evidence the presence of people or activities within the work areas and premises of the UCB.
4. Detect, document and report violations of law, UCB policies and procedures to the appropriate authorities.
5. Monitor the performance and conduct of employees within their respective work areas.
6. Protect and secure UCB common areas by monitoring the surveillance system.
7. Maintain a database of information related to incidents occurring on the premises of UCB facilities.

#### *Installation Site and Monitoring Equipment Location*

The Institution has specifically determined the areas within the Institution that are most vulnerable or that can provide a clear view of activities. To carry out surveillance the Institution has installed video cameras, strategically located in the following areas:

1. Technology Laboratories
2. Classrooms with projectors and interactive whiteboards
3. Chair
4. Dean of Administration and Finance
5. Information Technology and Telecommunications Center
6. Parking
7. Student Center
8. Library
9. UCB reserves the right to modify cameras and their location, except in locations where there is a reasonable expectation of privacy and/or intimacy.

Understanding the importance of maintaining the privacy expectations of employees, visitors, suppliers, contractors, students and the university community in general, cameras have not been installed in the following areas:

1. Bathrooms
2. Lockers
3. Rest areas
4. Cafeteria
5. Offices

Any area with this surveillance technology shall have a visible sign announcing the existence of the surveillance equipment.

#### *Frequency and Nature of Data to be Obtained*

The equipment has available technology that will make zooming possible, according to the need of each situation. The recorded data and information will be reviewed periodically and action will be taken, according to the need of each case. Once the Institution has reviewed the recorded images, it will dispose, erase or discard the recorded data and images.

Only recordings that may serve as evidence that there have been any unauthorized access violations, incidents or illegal activities occurring in the selected areas will be retained in a confidential file. All other material will be periodically discarded. Access to recorded information will be limited to the following persons:

1. President
2. Vice President
3. Director of Information Technology and Telecommunications
4. Human Resources Director

#### *Scope*

Electronic surveillance equipment using video cameras will cover all persons at selected points or areas, excluding those who by their nature have a clear expectation of privacy. Information obtained through the electronic surveillance system may be

used to take disciplinary action against individuals who have violated any of UCB's rules and policies.

### *Monitoring Equipment*

The monitoring equipment will be activated by motion detection, and it will be the responsibility of the Director of Information Technology and Telecommunications to maintain access control to it. In case of any anomaly or problem in any area or office of the UCB, the dean, director or supervisor will be notified immediately to address the situation or emergency event.

It will be the responsibility of the Director of Information Technology and Telecommunications to prepare a report on any irregularities that have occurred. This document will be marked as confidential and will be directed to the Director of Human Resources who will keep it confidential.

### *Review of Recorded Videos*

Any of the following conditions shall be considered a situation that warrants review of the recorded videos:

1. Alterations to equipment configurations, theft, vandalism of equipment or physical facilities.
  - a. If one of the above activities is identified, the Video Review form, available in the IT & Telecommunications Office, must be completed to initiate the required process. In the event of theft, alterations to property or physical plant, the supervisor of the affected area shall inform the appropriate Department Director and Director of General Services and file a complaint with the appropriate police district based on the physical location of the UCB.
  - b. Once the complaint number is received, a report must be submitted to the Office of the Dean of Administration and Finance describing the situation,

description, serial number, ownership number of the equipment and the complaint number issued by the Puerto Rico Police.

- c. As a preventive measure, the personnel in charge of this activity may access and remotely observe the security cameras to carry out surveillance in the areas where the security cameras are installed. They may also rotate the cameras and assign surveillance to specific locations according to the need that may be identified at particular times, as long as the stipulations in the section on the Correct Use of Security Cameras are observed.

### *Correct Use of Security Cameras*

The personnel in charge of supervising the systems, as well as any other employee authorized by UCB, must make proper use of the security camera system and limit its use to the purposes for which it has been installed. The following practices are strictly prohibited and subject to the applicability of institutional regulations and civil actions:

1. Use of security cameras for any use other than that authorized in this policy.
2. Alteration, editing, reduction, modification of recorded videos.
3. To provide third parties with copies of the images obtained through electronic surveillance equipment, except in cases of administrative, civil or criminal investigations that so require and in accordance with the provisions of this policy.
4. Performing illegal acts or acts that affect the privacy of any person through the use of security cameras.
5. Disclose information related to recordings made on the surveillance system, except as expressly provided for in this policy.
6. Creation of photo files
7. Close Up" approaches to people, body parts or activities performed by users in the centers with technological resources.

### *Administrative Mechanism*

In the event that for any reason any employee believes that his or her rights to privacy and/or confidentiality may be violated, he or she should follow the procedure established in the Human Resources Manual for Administrative Employees of Universidad Central de Bayamón.

### Policy Use of Computerized Systems and Internet

#### *Applicability*

This policy applies to all students, employees, contractors, suppliers and personnel working, doing business or visiting Bayamon Central University. It will be the responsibility of the Deans, Directors, Supervisors and the Office of Information Technology and Telecommunications to enforce the provisions of this policy.

#### *Compliance*

It is the responsibility of our Institution to ensure the proper handling of data and the proper use and integrity of the computerized systems, in accordance with the requirements of the law.

#### *Privacy*

Because the Institution's computer systems are to be used exclusively for Institution-related operations, they will be audited periodically and employees should understand that there will be no privacy in communications made through the Institution's computer systems. All messages may be observed or accessed by persons other than the recipients.

#### *Team*

All equipment or services received through our computerized information systems are the property of UCB, and therefore what is stored on it or written will be audited.

### *Audits*

Periodic and random audits will be conducted to corroborate compliance with the policy described herein. The results of the audits will be analyzed and a report will be issued to UCB management. If violations of the policy statutes occur, appropriate disciplinary action will be taken. Audit reports will be retained for a period of three (3) years under the responsibility of the Director of Information Technology and Telecommunications.

### *Rules/Standards*

1. The "software" and "hardware" used by UCB users are property of the Institution, likewise, all messages written, sent or received through the electronic mail system also become property of the Institution.
2. The installation and use of games and programs is prohibited. Only programs audited and authorized by the Institution shall be used.
3. E-mail and the Internet shall not be used to create offensive, distasteful or discriminatory messages. Messages of sexual, racial, gender, religious or political beliefs, national origin or physical condition, among others, are considered offensive.
4. The use of e-mail and the Internet to send messages that may undermine the reputation of any person is prohibited.
5. The user names and access codes of all information systems are the property of the Institution and for the exclusive use of its employees. The disclosure of user names and codes to any other person or employee is prohibited.
6. Any employee who discovers a violation of this policy should notify the Human Resources Director.
7. No employee is authorized to retrieve, intercept or read messages sent to another person.
8. You should not assume confidentiality of the content of messages sent by e-mail or the Internet.
9. Any employee who mistreats, destroys, or maliciously damages any

equipment, software or hardware of the Institution or of any of his colleagues, will be subject to disciplinary measures which may range from written reprimand to suspension of employment and/or dismissal.

10. Any questions about the applicability of this policy should be referred to your immediate supervisor, who will channel them to the appropriate management level.

### Internet

Electronic communications equipment is the property of the Institution and is for official use only. Electronic systems will be audited periodically. Access to domains of a sexual nature or not related to the Institution is prohibited, and violating them will result in disciplinary actions, depending on the seriousness of the case. The Internal Policy of the Universidad Central de Bayamón regarding the use and management of computers and the Internet must be followed.

### Employee Personal Information Privacy Policy

All information provided or collected by employees or UCB will be stored and maintained with restricted access. Only authorized officials of the Institution will have access. The data collected is for official UCB use and to comply with applicable federal and state regulations and to contact the employee if necessary. The data to be collected includes, but is not limited to, residential address information, social security number, telephone number, marital status, previous employment information, education, skills, work experience, area of expertise, family composition, and in some cases required by law, drug testing information, health certificate, and criminal history.

### Alcohol and Drug Use

Bayamon Central University is committed to providing a safe and drug-free work environment. To achieve this goal, employees are required to adhere to the standards of conduct established or that will be provided during the orientation offered at the time of employment.



While on the Institution's premises or performing official business for the Institution, no employee shall use, possess, distribute, sell or be under the influence of alcohol, controlled substances or any other type of chemical agent. The lawful use of medication, as prescribed by a physician, is permitted on the job only if it does not interfere with the employee's ability to perform the essential functions of his/her position effectively and safely and does not endanger other co-workers, students and/or visitors. You must report the use of medications that could interfere with the effective performance of your duties and responsibilities.

Violations of this policy may result in disciplinary action and/or a suggestion that you participate in a substance abuse treatment or rehabilitation program or other remedial measures prescribed by the Institution.

If an employee becomes aware that a co-worker is being affected by the use of controlled substances, it is his or her responsibility to immediately notify his or her immediate supervisor and the Human Resources Director.

### Dress Code

Standards of dress and grooming contribute to the morale of all employees and have an effect on the image of the institution in the eyes of parents, students, visitors, suppliers and the general public. All attire should project an image of formality, professionalism and reasonable seriousness in keeping with the type of work performed by the employee. We know that everyone is proud to work at Universidad Central de Bayamón (UCB). As employees of UCB, our way of proceeding must support the institutional values and principles. Part of this behavior is determined by the image we project, which includes our attire.

During working hours, employees are expected to present themselves in a professional appearance and dress by the requirements of their duties and will be asked to return home and return in appropriate attire. During such circumstances the employee will not be compensated while off work.

The following is the approved dress code.

***Ladies***

<b>Shoes</b>	<b>Dresses, skirts and/or *trousers</b>	<b>Shirts and/or blouses</b>
Closed shoes, heeled sandals or dress sandals.	Dresses, skirts or pants. The length of skirts and dresses must be no more than two (2) inches above the knee.	Shirt, blouse, sweater with sleeves. Tailored clothes.

***Gentlemen***

<b>Shoes</b>	<b>*Pants</b>	<b>Shirts</b>
Closed shoes	Dress pants and/or ducker style.	Short or long sleeve shirt, tie and/or jacket, if necessary.

For both ladies and men, nails must be well cut and clean and hair must be kept neat at all times. To project and preserve our institutional image, it is essential to observe the Dress Code, since we have the responsibility of being models and part of this modeling includes clothing, since it is a reflection of our Institution. All supervisory personnel are instructed to ensure faithful compliance with this policy.

Cell Phone Usage

Any employee provided with a cell phone by the Institution shall be responsible for safeguarding the equipment and answering calls and e-mails at all times, except in emergencies.

Visitors in the Work Area

To safeguard the safety of employees, students and the Institution's facilities, only authorized visitors are allowed in the work area. Restricting unauthorized visitors (including students) helps to maintain security standards, protect against theft, protect confidential information, safeguard staff welfare and avoid potential disturbances or distractions.

Staff are responsible for the conduct and safety of their visitors. If an unauthorized visitor is observed within the Institution's premises, staff will be responsible for immediately notifying the General Services Office and/or security officers.

### Smoking

To maintain a safe and healthy work environment, the Institution prohibits smoking in the workplace, except in those areas designated for this purpose. This policy applies equally to employees, suppliers, contractors, students and visitors.

### Property Delivery Institutional

Personnel are responsible for items received from the Institution or in their possession or control, shall return all Institution property in their possession as soon as requested or upon separation from employment.

1. Team
2. Identification Cards
3. Keys
4. Manuals
5. Security Passes
6. Tools
7. Uniforms
8. Written Materials
9. Other Property

### Use of Equipment and Vehicles

University Central Bayamon (UCB) equipment, essential to the accomplishment of assigned tasks, is expensive and may be difficult to replace. When using UCB property, personnel are expected to be careful, provide required maintenance, and follow all operating instructions and safety standards.

An employee who identifies any equipment, machine, tool or vehicle that appears to be damaged, defective or in need of repair should notify the Director of General

Services. This could prevent deterioration of the equipment and possible injury to any person.

Improper, careless, negligent, destructive or unsafe use or operation of equipment or vehicles may be subject to disciplinary action.

### Emergency Closing

At times when an emergency arises, such as: atmospheric events, fires, power failures or an earthquake, among others, Universidad Central de Bayamón may interrupt the normal operation of the Institution. In extreme cases, these circumstances may require the temporary closing of the facilities.

When operations are officially halted due to emergency conditions, depending on the severity of the situation, fiscal viability and other factors, the President will determine when staff should report to work and how payroll will be considered and processed. Employees in key positions may be called to work, even if the Institution is officially closed. During an emergency closure, hourly personnel will only be paid for those hours worked, unless otherwise determined by the Institution.

### ARTICLE 26 - DISCLOSURE

This Manual shall receive the necessary disclosure so that employees covered by its provisions are aware of it.

### ARTICLE 27 - AMENDMENTS TO THE MANUAL

This Manual may be amended as necessary to improve UCB operations or to conform to the enactment of new laws, regulations, and administrative or executive orders of general or specific application to UCB. Any amendment to this Manual must be reviewed and approved by the President.

### ARTICLE 28 - RULES OF INTERPRETATION

The words and phrases used in this Manual shall be interpreted according to the context and the meaning that corresponds to the common and ordinary use of the

words. Words used in the present tense also include the future tense; those used in the masculine gender also include the feminine and neuter, except in cases where such interpretation would be absurd; the singular number includes the plural and the plural includes the singular. When the term "days" is used in this Manual to mean a period of time, it shall be interpreted as calendar or calendar days, unless otherwise indicated. The employer reserves the right to interpretation subject to the invocation of the laws, mission, vision and values of the Institution.

#### ARTICLE 29 - SEVERABILITY CLAUSE

If any word, subsection, article, section or part of this Manual is declared unconstitutional or invalid by a court of law, such declaration shall not affect, impair or invalidate the remaining provisions and parts of this Manual, but its effect shall be limited to the specific word, subsection, sentence, article, section or part declared unconstitutional or invalid, section or part declared unconstitutional or invalid, and the invalidity or invalidity of any word, clause, sentence, article, section or part of this Manual declared in any one case shall not be construed to affect or impair in any respect its application or validity in any other case.

#### ARTICLE 30 - REPEAL

This Manual repeals the Administrative Personnel Regulations of the Central University of Bayamon of August 1, 1996, as amended, and any norm, rule or regulation that conflicts with its provisions.

#### ARTICLE 31 - VALIDITY

This Manual shall become effective immediately upon approval.

Approved in San Juan, Puerto Rico and by the by the President and the Board of Trustees of the Universidad Central de Bayamón, on December 5, 2019.

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Ángel Valentín Román, MDiv.  
Interim President  
Central University of Bayamon