

NMC Employee Manual

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NMC Employee Manual

FOREWARD

This Employee Manual may provide answers to many of the questions you might have about the New Mexico Consortium's (NMC) benefit programs, as well as company policies and procedures. You are responsible for reading and understanding this Employee Manual. While it contains general information and guidelines, it is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to the Business Operations staff.

The practices, policies and benefits described here may be modified or discontinued from time to time at NMC's discretion. We will inform you of any changes as they occur.

This Employee Manual supersedes any and all other previous NMC Employee Manuals, or other NMC employment related policies whether written or oral.

EMPLOYMENT

Terms of Employment. Under New Mexico law, employment at the NMC is considered to be "at will," which means that employment can be terminated by either the employer or the employee at any time, with or without reason. An employment contract between the NMC and a specific individual may supersede these terms.

The majority of research positions at the NMC are soft money positions and contingent on funding through a grant. These NMC positions always depend on the award and renewal of the grant and employees should expect that these positions terminate with the grant.

Partner Institution. In this policy, "partner institution" means Los Alamos National Laboratory, New Mexico Institute of Technology, University of New Mexico, or New Mexico State University.

Other Obligations. Researchers whose primary institution is not the NMC have obligations to their home institutions. Any offer of employment or consulting agreement must be acceptable under the policies of the home institution. In addition, the offer must be acceptable under the terms of the funding agencies involved. It is the individual's responsibility to ensure that they have determined and met all the requirements of their home institution prior, during, and after their appointment to the NMC. In addition, it is the responsibility of all researchers submitting proposals through the NMC to secure the commitment of their home institution to allow them to accept an appointment with the NMC should they receive an award through the NMC.

Equal Employment Opportunity. The NMC believes that equal opportunity for all its staff and contractors is essential for our success and the fulfillment of our mission. We maintain a policy of fairness and impartiality in relation to both current and potential staff and contractors without

regard to race, religion, age, sex, physical or mental disability, national origin, sexual orientation, gender identity, or any other factor protected by law.

Americans With Disabilities Act Policy Statement. NMC is committed to complying with all applicable provisions of the Americans With Disabilities Act ("ADA"). It is the NMC's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, NMC will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the NMC aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the NMC.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Business Operations Manager.

Harassment Policy. NMC intends to provide a work environment that is pleasant, professional, and free from intimidation, hostility or other offenses that might interfere with work performance. Harassment of any sort – verbal, physical, and visual – will not be tolerated.

Workplace harassment can take many forms. It may be, but is not limited to, words, signs, offensive jokes, cartoons, pictures, posters, e-mail jokes or statements, pranks, intimidation, physical assault or contact, or violence. Harassment is not necessarily sexual in nature. It may also take the form of other vocal activity including derogatory statements not directed to the targeted individual but taking place within their hearing.

Sexual harassment at NMC is unacceptable. Such harassment includes unwelcome sexual advances and other physical, verbal, or visual conduct based on sex when (a) submission to the conduct is an explicit or implicit term or condition of employment, (b) submission to or the rejection of the conduct is used as a basis for an employment decision, or (c) has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or offensive working environment. Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, display of foul or obscene printed or visual material, and inappropriate physical contact.

Should you feel that you have been subject to discrimination or sexual harassment at work, or in connection with work, please notify your supervisor. If you are not comfortable discussing this issue with your supervisor, contact the NMC Executive Director (ED).

NMC will investigate any complaint of sexual harassment and will take immediate and appropriate disciplinary action (up to and including termination of employment) if sexual harassment has been found within the workplace. NMC prohibits all staff and contractors from retaliating in any way against anyone who has raised any concern about sexual harassment or discrimination against another individual.

Confidential and Proprietary Information. Confidential and sensitive information includes all business, financial, personnel, and technical information, such as budgetary or planning information; donor information; enrollment applications, letters of recommendation, recruitment evaluations; research results not yet in the public domain, etc. If you aren't sure whether something is confidential or proprietary, and you do not have permission from the originator to release it, treat it confidentially and/or see the ED for clarification.

Staff and contractors are expected to exercise due diligence to maintain the confidentiality of any and all information about NMC, its staff and contractors, and affiliates that is not obviously and explicitly in the public domain. "Due diligence" includes care not to divulge sensitive information to those not authorized to receive it, physical protection as needed (e.g., locked file cabinets for documents requiring physical protection, appropriate electronic passwords, etc.), and care in handling and storage of such information. Staff and contractors are expected to: (1) use the confidential and sensitive information to which they have been officially granted access only for the purposes to which that access has been granted; (2) ensure that all confidential information to which they have been granted access is properly destroyed or returned to its owner upon completion of official access; and (3) contact the ED if any confidential information is encountered inadvertently or if there are questions about how to treat any particular type of information.

Intellectual Property. The NMC is obligated to make its research available to the interested public through publication by both its non-profit status and its charter to perform scientific research in the public interest. In general, all research results at the NMC should be promptly disclosed in the spirit of open inquiry.

Affiliates whose primary appointment is with a partner institution remain subject to all agreements between the affiliate and their institution unless a specific exception is created through an agreement with regard to intellectual property. In addition, intellectual property rights may be affected by the funding source for the research, the type of research and the type of work product. Subject to these pre-existing obligations and constraints, the disposition of intellectual property developed by NMC staff and contractors using NMC property will be owned by NMC.

It is both in the interest of the NMC and the obligation of the NMC through its charter to develop intellectual property. All NMC staff and contractors are encouraged to disclose inventions through their home institutions, if it is not the NMC. NMC based researchers should disclose through the NMC. NMC researchers will be eligible for royalty sharing agreements with the inventor that are comparable to the policies at our partner institutions.

Publication. Consistent with its charter to promote basic research and its tenet of open access to information, NMC supports and encourages all employees and contractors to promptly release or publish research results produced under its auspices. Work produced with NMC funds should acknowledge both the NMC and the funding agency. The NMC respects all obligations that visiting researchers have to their home institutions regarding intellectual property and publishing.

Work Week and Business Hours. The NMC business hours are 8:30am to 5:30pm. The normal business day includes a lunch period of 30 minutes to 1 hour. Administrative and support staff are expected to work normal business hours at the NMC offices in order to ensure smooth business operations. Employees may arrange alternate work schedules and locations with the approval of their supervisor.

Research staff are expected to be available if needed by their project or the NMC during normal business hours. They are expected to work the number of hours required by their assignment during the bi-weekly pay period. For example, a researcher working 50% time would be required to put in 40 hours over two weeks. The payroll week normally begins at 12:01 A.M on Sunday and ends at midnight on Saturday.

Research staff are expected to commit to a particular level of effort (for example, 20%) over the period of their assignment and remain at that level or formally change the assignment. Exception can be made for short (1-2 week) periods for travel and other purposes with the ED's approval; however, the employee is responsible for determining and arranging any change in their benefits at both their home institution and NMC.

The NMC recognizes that the amount of time researchers put in beyond the minimum work week and the start times of the workday are driven by the requirements of the research project and therefore our policy is to be flexible in establishing work hours for researchers. However, the NMC reserves the right to establish formal work hours for all staff for institutional or project needs. The NMC may also require office hours and/or attendance at standing meetings as needed for specific projects.

The hours for Contractors, Limited-Term, Student and Part-time positions are governed by their agreements and may be flexible.

Employment Classifications. At the time an employee is hired, he/she is classified into the appropriate categories outlined below. If you are unsure of which classification your position fits into, please ask Human Resources.

- Regular Employees – Employees who have appointments 50% time or more per quarter and for one year or longer.
Such employees may be either full time (100%) or part time. NMC Research Scientists, Administrators and Managers are regular employees.
- Limited Term Employees – Employees who work for less than one year. NMC Visiting and Affiliate Researchers and Students are limited-term employees.
- Part-time Employees – Employees who work less than 50% time per quarter. NMC Visiting and Affiliate Researcher positions are part-time positions.

Employees are classified as either exempt or non-exempt from the overtime provisions of the federal Fair Labor Standards Act (FLSA).

- Non-Exempt Employee – Those employees who are eligible to receive over time pay at the rate of one and one-half times (1.5x) your base hourly pay for scheduled work in

excess of 40 hours per week. A non-exempt employee may only work more than 40 hours in a week with prior approval from their manager.

- **Exempt Employee** - Exempt employees are managers, executives, professional staff, technical staff, outside sales representatives, officers, directors, owners and others whose duties and responsibilities allow them to be "exempt" from overtime pay provisions as provided by the FLSA.

Personnel Records and Administration. The Business Operations (BO) staff is responsible for personnel records and related personnel administration functions at NMC. Questions regarding insurance, wages, and interpretation of policies may be directed to the BO staff.

Keeping personnel files up-to-date can be important with regard to pay, deductions, benefits and other matters. If an employee has a change to report, please be sure to notify the BO staff as soon as possible. A family status change should be reported to BO within 31 days for benefit modifications, if necessary.

An employee has the right to see information that is kept in their own personnel file, and may request and receive copies of all documents they have signed. Please make arrangements with the BO staff.

COMPENSATION

Pay Cycle and Time Records. You are required to complete a bi-weekly time sheet. Time sheets are due no later than noon on the Monday after the end of the pay period. The NMC reserves the right to impose a fine of \$10 per day on employees who do not submit their timesheet by the deadline. Employees receive a paycheck within 14 days after the end of the pay period.

Mandatory Deductions from Paycheck. NMC deducts federal and state withholding taxes and FICA (Social Security, Medicare and state unemployment insurance) contributions from your pay. In addition, your portion of group insurance premiums and retirement plan contributions are deducted directly from your pay.

Overtime Pay. Employees are classified as either exempt or non-exempt from the overtime provisions of the federal Fair Labor Standards Act (FLSA). The majority of the positions at NMC are exempt from the overtime provisions of FLSA. However, if your position is classified as nonexempt you are eligible to receive one and one-half times (1.5 x) your base hourly pay for scheduled hours worked in excess of 40 hours per week. A non-exempt employee may only work more than 40 hours a week with prior approval of their supervisor.

Compensatory Time Off. Staff must work their required hours in a given pay period. Exceptions are made by the ED only with prior approval and on a case-by-case basis.

BENEFITS

Eligibility for Benefits: The table below presents a summary of benefits by position type.

Position	Personal Days	Retirement	Medical/Dental	Disability/Life
<i>Regular (50% time or more per quarter and 1 year or more)</i>				
Administrator Researcher Manager	Yes	Yes, immediately	Full benefits after 90 days. Requires 75%+ level of effort.	Yes, after 1 year. Requires 75%+ level of effort
<i>Limited Term / Part Time (less than 1 year / less than 50% time per quarter)</i>				
Administrator V. Researcher Manager	Yes	No	No	No
Student	Yes	No	Yes, immediately	No
Affiliated Researcher	Yes	Yes, if > 15% effort for > 1 yr	No	No

Insurance Coverage. *Regular Employees with a level of effort greater than 75% are eligible for NMC insurance benefits.* There is a 90-day waiting period for medical and dental coverage and a 12-month waiting period for disability and life coverage.

For full-time employees, NMC pays 70% and 50% of medical and dental insurance premiums for employees and spouses/dependents, respectively, and 70% of life and disability insurance premiums for the employee only.

Employees who work a flexible level of effort must establish a Minimum Level of Effort. The Minimum Level of Effort determines their eligibility for benefits. Employees must work at least their agreed Minimum Level of Effort averaged over each quarter.

The NMC currently has no group policies for disability, or life insurance; therefore, these benefits are contingent on the insurability of the individual. The insurance company determines insurability. The specific benefits and premiums are also dependent on the options available for individual (rather than group) plans.

Limited-term and Part-time Positions. Employees offered limited-term (less than one year) or part-time (less than 50% time per quarter) positions are ineligible for any NMC insurance with the following exception:

Students. An exception regarding health and dental benefits is made for NMC Student Positions. NMC Student positions are limited-term training positions offered to people entering technical fields (i.e. current students, recent graduates or individuals changing careers). These positions provide medical and dental benefits immediately upon employment if a) the individual is not covered by his/her educational institution or by parents, b) the appointment is 75% time or more, and c) the appointment is for 60 business days or more.

Students with appointments of less than 1 year are not eligible for NMC's **group** health and dental plans. NMC will cover **individual** health/dental insurance plans for these students. The ability of those individuals to get medical benefits is subject to their ability to obtain individual health insurance.

Student positions are not eligible for any other insurance benefits.

Retirement. The NMC Retirement Plan Description is available at <http://int.newmexicoconsortium.org/operations/hr/benefits/retirement-plan/spd.pdf/view>. A hard copy is available upon request.

Regular employees (defined above) who work 50% time or more (per quarter) and have an appointment of more than one year are eligible for NMC retirement benefits. There is no waiting period for retirement benefits.

Limited-term and Part-time Positions. Employees offered limited-term (less than one year) or part-time (less than 50% time per quarter) positions or student positions are ineligible for any NMC retirement with the following exception:

Affiliate Researchers. An exception regarding retirement benefits is made for Affiliate Researchers. Affiliate researchers hold joint positions with partner institutions where they maintain a level of effort of 50% or more. Affiliate Researchers are eligible for NMC retirement benefits if they maintain a 15% level of effort for at least a period of one year.

NMC provides a 403B program with an employer match to eligible employees. The employer contribution includes an up to 6% elective match and a non-elective contribution. The non-elective contribution is as follows:

0-9 years of service	4.5%
10-19 years of service	5.5%
20+ years of service	6.5%

The employee does not need to contribute to receive the non-elective employer contribution. Years of service equals years of service with NMC. For Affiliate Researchers, years of service is equal to the years of service with the partner institution plus the number of years of service with NMC. Details of the benefits will be provided on an individual basis as part of the hiring process.

Affiliate Researchers often have a 401K, 403B, or 457 plan at the NMC and their home institution. Affiliate Researchers should be aware that total contribution to these plans is limited

by the IRS. In 2009, for example, that limit was \$16,500. NMC cannot monitor contributions across institutions. Contributions over the IRS limit will be taxed. Employees who want to avoid this must monitor their contributions across all their retirement accounts.

You have the option not to accept any given benefit and the associated employee contributions.

LEAVE

Paid Leave. *Paid Personal Time Off.* All employees are eligible for paid personal leave. Paid personal leave is accrued at a rate of 30 days per year or .1304 hours of personal leave per hour worked. Paid personal leave may be used for vacation, sick leave or holidays. All personal leave is a vested benefit and you will be compensated for any unused personal leave when you leave NMC.

In general, NMC pays out an employee's personal leave balance on an employee's last paycheck.

Employees may not request more personal days than they have accrued (i.e. borrow personal days). The ED may make exceptions to this policy under unusual circumstances.

Employees may accumulate no more than 1 year of personal leave (30 days), pro-rated for their actual level of effort over the previous 12 months. For example, employees whose actual level of effort over a 12 month period year is 50% may have accumulated no more than 15 days of personal leave at the end of the period. No employee may accumulate more than 240 hours of personal leave. Employees will stop accumulating personal days once they reach this ceiling.

Holidays. The NMC has 12 annual holidays that are published on our calendar before the calendar year. Employees use personal leave time to take holidays at their discretion. In general, administrative and support staff are expected to work on business days and take personal leave for holidays in order to ensure smooth business operations. Administrative and support staff may make other arrangements for institutional or personal reasons with approval of their supervisor. Research staff may or may not work holidays, at their discretion.

Jury Duty. The NMC supports compensatory leave for jury duty. Employees will be paid their regular salary while on jury duty for up to a maximum of 10 working days.

Unpaid Leave. *Unpaid Personal Leave.* Regular employees with one or more years of service may be eligible for unpaid personal leave for up to a total of 12 weeks during any 12- month period.

Such leave may be granted because of the employee's serious health condition, to care for a seriously ill spouse, child or parent, or for the birth or adoption of a child. NMC applies automatically any unused personal days to the leave. In the absence of optional short-term disability insurance, any personal leave is an unpaid leave once personal days have been exhausted. You will not accrue paid time off days when on unpaid leave. Employees on unpaid

personal leave may continue their life, medical, disability and dental insurance, subject to the policies of the insurer; however, the employee will be responsible for 100% of the premium.

Return from personal leave is contingent on available funding. Our objective is to place you in your original position or an equivalent position without loss of pay or benefits; however, positions may not be available if the funding for the position has terminated or expired.

Whenever possible, employees are asked to provide 30 days notice prior to the start of the leave and to make reasonable efforts, when feasible, to schedule the leave so as to impact work schedules minimally. Where both spouses are employed by NMC, the total amount of leave they may take is limited to 12 weeks for the birth or adoption of a child or to care for an ill parent.

Time taken for personal leave will not be taken into account when determining eligibility for retirement and insurance benefits, but it does affect the % of employer contributions.

Military Leave. The NMC supports military leave as required by state and federal law.

Domestic Abuse Leave. An employee who experiences Domestic Abuse may take up to 14 days (maximum of 8 hours per day) per calendar year to:

- pursue an order of protection or other judicial relief;
- meet with law enforcement officials;
- consult with attorneys or district attorney's victim advocates; or
- attend court proceedings for themselves, their child or a child for whom they are a legal guardian.

Domestic Abuse Leave is unpaid unless an employee chooses to use accrued personal days.

Definition: "Domestic Abuse" for purposes of this policy means an incident of stalking or sexual assault whether committed by a household member or not, or any incident by a household member against another household member that result in:

- physical harm;
- severe emotional distress;
- bodily injury or assault;
- a threat causing imminent fear of bodily injury by any household member;
- criminal trespass;
- criminal damage to property;
- repeatedly driving by a residence or work place;
- telephone harassment;
- harassment; or
- harm or threatened harm to children.

Notice and Verification: Employees needing Domestic Abuse Leave in an emergency must notify the employer within 24 hours of starting the leave. Otherwise, employees needing Domestic Abuse Leave must provide as much notice as possible in the circumstances.

Employees must provide the Company with verification of the leave in a timely fashion. The verification may be a police report regarding the incident, a copy of an order of protection or other court evidence, or the written statement from the employee's attorney, district attorney's victim advocate, or prosecuting attorney stating that the employee, employee's child, or child for whom the employee is a guardian is scheduled to appear in court.

Confidentiality: The Company will keep all information regarding Domestic Abuse Leave, including the fact that the employee or employee's family member was involved in a domestic abuse incident, that the employee requested or took Domestic Abuse Leave, and verification documents strictly confidential. With the employee's consent, the Company will disclose the information and/or cooperate with law enforcement and administrative agencies in dealing with issues of Domestic Abuse. The Company will otherwise only disclose this information in compliance with a legal requirement or proper court or agency order.

No Retaliation: The Company will not penalize or retaliate against an employee for requesting or taking Domestic Abuse Leave. The Company will not withhold benefits coverage from an employee during the time they are on Domestic Abuse Leave. Time taken for Domestic Abuse Leave will not be included in calculating eligibility for benefits.

SEPARATION OF EMPLOYMENT

Termination. NMC will consider an employee to have voluntarily terminated their employment if they do any of the following:

1. resign from NMC,
2. fail to return from an approved leave of absence on the date specified by NMC, or
3. fail to report to work or call in for three (3) or more consecutive workdays.

An employee may be terminated for poor performance, misconduct, excessive absences, tardiness, discrimination, harassment, or other violations of NMC's policies. However, all employment is at-will; as such, the employee and NMC have the right to terminate employment for any or no reason.

NMC expects that an employee will give at least two (2) weeks notice in the event of their resignation. Any accrued but unused Paid Personal Time Off will be paid out at the time of employment termination.

Return of Company Property. Any NMC property issued to an employee, such as computer equipment, keys, building entry cards or company debit card must be returned to NMC at the time of termination. The employee will be responsible for any lost or damaged items. The value of any property issued and not returned may be deducted from the paycheck, and the employee may be required to sign a wage deduction authorization form for this purpose.

WORKPLACE POLICIES

Use of Company Phones, Computers, Internet Access. NMC property, including computers, electronic mail and voice mail, should only be used for conducting company business.

Brief and occasional personal use of phones, electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate and does not result in expense to NMC. Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities.

The use of the electronic mail system may not be used to solicit for commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations. Furthermore, the electronic mail system is not to be used to create any offensive or disruptive messages. Among those which are considered offensive, are any messages which contain sexual implications, racial slurs, gender-specific comments, or any other comments that offensively address someone's age, sexual orientation, gender identity, religious or political beliefs, national origin, or disability. In addition, the electronic mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.

Although NMC provides certain codes to restrict access to computers, voice mail and electronic mail to protect these systems against external parties or entities obtaining unauthorized access, employees should understand that these systems are intended for business use, and all computer information, voice mail and electronic mail messages are to be considered as company records.

NMC also needs to be able to respond to proper requests resulting from legal proceedings that call for electronically stored evidence. Therefore, NMC must, and does, maintain the right and the ability to enter into any of these systems and to inspect and review any and all data recorded in those systems. Because NMC reserves the right to obtain access to all voice mail and electronic mail messages left on or transmitted over these systems, employees should not assume that such messages are private and confidential or that NMC or its designated representatives will not have a need to access and review this information. Individuals using NMC's business equipment should also have no expectation that any information stored on their computer - whether the information is contained on a computer hard drive, computer disks or in any other manner - will be private.

NMC has the right to, but does not regularly monitor voice mail or electronic mail messages. NMC will, however, inspect the contents of computers, voice mail or electronic mail in the course of an investigation triggered by indications of unacceptable behavior or as necessary to locate needed information that is not more readily available by some other less intrusive means.

The contents of computers, voice mail, and electronic mail, properly obtained for some legitimate business purpose, may be disclosed by NMC if necessary within or outside of NMC.

Given NMC's right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient.

NMC's ED will review any request for access to the contents of an individual's computer, voice mail, or electronic mail prior to access being made without the individual's consent.

Any employee who violates this policy or uses the electronic communication systems for improper purposes may be subject to discipline, up to and including termination.

Substantive personal use of phones, computers and internet access will be reported on form W-2 as taxable income.

Computer Software (Unauthorized Copying). NMC does not condone the illegal duplication of software

1. NMC licenses the use of computer software from a variety of outside companies. NMC does not own this software or its related documentation and, unless authorized by the software manufacturer, does not have the right to reproduce it.
2. With regard to use on local area networks or on multiple machines, NMC employees shall use the software only in accordance with the software publisher's license agreement.
3. NMC employees learning of any misuse of software or related documentation within the company must notify their manager immediately.
4. According to the U.S. Copyright Law, illegal reproduction of software can be subject to civil damages and criminal penalties, including fines and imprisonment. NMC employees who make, acquire or use unauthorized copies of computer software shall be disciplined as appropriate under the circumstances. Such discipline may include termination.

Drug Testing. The NMC is committed to maintain a safe work place free from the influence of drugs/alcohol. To that end, the NMC may require drug/alcohol testing prior to employment and at any time during employment by the NMC. The NMC contracts with certified laboratories to perform the drug/alcohol test. Refusal to submit to a drug/alcohol test or a positive test result may be cause for termination or for refusal to hire. An employee who has tested positive may request a retest of the same sample at a certified laboratory at his/her own expense.

Expense Reimbursement. The NMC reimburses employees for appropriate and necessary work related expenses, including materials and supplies (i.e., books, software), travel and services (i.e., copying, internet charges). Reimbursement request must be approved before the purchase is made. Re-imbursement requests made after the purchase has been made may not be honored. In this case, the employee will be responsible for the expense.

Request pre-approval for travel expenses through this webpage:
<http://int.newmexicoconsortium.org/operations/travel-reimbursement>

Request pre-approval for reimbursement of purchases through this webpage:
<http://int.newmexicoconsortium.org/operations/payment>

Violence in the Workplace. NMC has adopted a policy prohibiting workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect NMC or which occur on NMC property will not be tolerated.

Acts or threats of violence include conduct that is sufficiently severe, offensive, or intimidating to alter the employment conditions at NMC, or to create a hostile, abusive, or intimidating work environment for one or several employees.

NMC prohibition against threats and acts of violence applies to all persons involved in NMC's operation, including but not limited to personnel, contract, and temporary workers and anyone else on NMC property. Violations of this policy by any individual on NMC property will lead to disciplinary action, up to and including termination and/or legal action as appropriate.

Every employee is encouraged to report incidents of threats or acts of physical violence of which he/she is aware. The report should be made to your manager, to the Business Operations Manager or the ED.

Whistleblower Policy. Expectation. NMC expects employees to observe high ethical standards in carrying out their responsibilities and to comply with all applicable laws and regulations.

Open Door Policy. If any employee has complaints, concerns, or questions as to the ethics or legality of a particular action taken by another employee, director or officer, he/she is encouraged to raise such complaints, concerns or questions with the ED. In the event an employee is not comfortable raising the issue with the ED, he/she should contact a member of the board. In the event none of the foregoing is a reasonable option and the employee believes there may have been a legal transgression, he/she should contact an outside attorney. Anyone filing a complaint concerning a violation or suspected violation of a law, regulation or ethical requirement must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation.

Requirement of Investigation. Within a reasonable time of receiving a complaint, concern or question regarding compliance with a law, regulation or ethics requirement, the ED or board member shall open an investigation into the matter and pursue it to resolution. Should the ED or board member find that a law, regulation or ethics requirement has been violated, appropriate action should be taken.

Confidentiality. To the degree possible, the names of the individuals reporting under this Whistleblower Policy shall be kept confidential.

Protection from Retaliatory Action. Neither the NMC nor its managers may take any negative employment or other retaliatory action against any employee who in good faith reports a violation of a law or regulatory requirement. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline including, but not limited to,

termination of employment. *General Policy.* This general policy is not a contract and it may be rescinded or amended at any time by the NMC. It is not intended to and does not create any legally enforceable rights whatsoever for any employee.