

Boyce Thompson Institute for Plant Research, Inc.

EMPLOYEE HANDBOOK



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100 WELCOME

Welcome to the Boyce Thompson Institute for Plant Research (BTI, or "the Institute"). In today's fast-paced research environment, our insight into how plants function is rapidly deepening. The consequences for the health of humans and the planet are profound, as new technologies and discoveries become integrated into our daily lives. We are also facing critical and integrated issues relating to the energy and food supplies. BTI faculty and their laboratory staff are at the forefront, emphasizing basic research with a wide range of experimental approaches.

Our diverse staff comes from across the world, sharing expertise and building collaborations both internally and with other universities and centers of research. Our postdoctoral associates and research technicians have strong records of taking advantage of their training to pursue careers in academia or the private sector, or to gain admission to graduate or medical schools.

BTI researchers enjoy the excellence, proximity and resources of a world-renowned university, while simultaneously benefiting from a small business environment. BTI possesses and staffs its own growth facilities, imaging center, information technologies, and dishwashing/ media preparation facility, and offers a full set of administrative services including grant management, human resources and computer support. We pride ourselves in our workplace, which has the following advantages:

- A stimulating intellectual environment
- An atmosphere of independence and personal growth
- A track record of success in career advancement
- A learning environment, with opportunities for continuing education
- A family-friendly work environment, with excellent benefits and flexible work arrangements
- A diverse community, with opportunities for social and intellectual interaction

102 ORGANIZATION HISTORY AND DESCRIPTION

BTI was established in Yonkers, New York in 1924 by William Boyce Thompson. Through knowledge of chemical research associated with mining interests, Colonel Thompson was convinced of the great contributions that research could provide to humankind. His experience in food distribution following World War I and his observations of the worldwide food shortages at that time convinced him that he could contribute to humanity by establishing a research institute dedicated to the development of knowledge important in world production of food and fiber.

In keeping with Colonel Thompson's intentions, BTI scientists concentrate on research important to the understanding of plant science and organisms associated with plants. The Institute's stated mission is to use basic research to expand the frontiers of plant biology and related areas, and contribute, through science and technology, to the improvement of the environment and the quality of human life.

In 1978 BTI moved from Yonkers to Ithaca, New York. Although located on the Cornell campus, the Institute maintains its identity as an independent, private, not-for-profit corporation with its own Board of Directors, President, Vice Presidents and staff. An agreement providing for the affiliation of the Institute with Cornell University was formally accepted by representatives of Cornell University, the State of New York and the Institute on May 28, 1974.

103 INTRODUCTION

This handbook is designed to acquaint you with BTI and provide information about working conditions, employee benefits, and the policies affecting your employment. You should read and understand all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the Institute to benefit employees. One of our objectives is to provide a productive work environment that is conducive to both personal and professional growth.

In keeping with the Affiliation Agreement with Cornell University, BTI maintains comparable compensation and benefits programs for employees, and adopts policies which are consistent with those established for employees of the College of Agriculture and Life Sciences (CALS). However, there are substantial differences between Cornell and BTI in the organization, mission, and resources, and these sometimes dictate differences in policies.

Policies set forth in this handbook are not intended to create a contract, nor do they constitute contractual obligations of any kind or a contract of employment between BTI and any of its employees. BTI therefore reserves the right to revise, supplement, or rescind any policy from time to time as it deems appropriate, at its sole and absolute discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express approval of the President of BTI, and, where necessary, the BTI Board of Directors or Executive Committee.

The benefits described in this handbook are fully set forth in plan documents or "summary plan descriptions," all of which are available upon request from Human Resources. The brief outlines in the handbook are not intended to be comprehensive discussions of these benefits and employees are directed to the other documents for more thorough explanations.

Complete BTI policies and procedures can be found on our web site: <http://bti.cornell.edu>.

200 EMPLOYMENT POLICIES

201 ETHICS AT WORK – GUIDING PRINCIPLES AT BTI

Summary of principles

BTI is committed to the highest ethical and professional standards, and fosters a culture of integrity and accountability. We promote high standards in research, fair employment, and prudent financial practices. We expand on these commitments by supporting our employees' families, our local community and the environment we live in.

Purpose of this document

This document states our ethical principles and the practices that support them. Relevant policies and procedures are detailed in the Employee Handbook, and are listed on the BTI web site. Ethical principles are intended to be integrated into the daily activities and decisions of BTI employees.

The Principles we Live By

- **Research Standards and Practices:** BTI researchers will conduct, discuss, manage, judge, document and report science honestly and thoroughly. Conflicts of interest, when they arise, will be dealt with ethically and objectively. BTI promotes scientific rigor, constructive criticism, and scholarly debate.

- Financial Management: BTI management and staff will act as judicious stewards of public and private resources; aspire towards full, fair and accurate disclosure of financial transactions; and refrain from engaging in practices or agreements that represent or have the appearance of conflicts of interest.
- Employment Policies: BTI values the knowledge, imagination, skill, diversity and teamwork of our employees. To this end, we strive to create an environment that fosters mutual respect, trust, and professional development, that rewards commitment and performance, and that is responsive to the needs of our employees and their families.
- Environmental Stewardship: Minimizing our environmental impact, and fostering research that may contribute more broadly to sustainability, are core principles of the institute. BTI therefore supports and encourages research that will lead to improved human health or sustainable agricultural practices, and protect environmental quality.
- Community Citizenship: BTI serves the local community as an employer, and believes in paying a living wage, offering competitive benefits, and being family-friendly. In addition, BTI sponsors education, outreach and other community activities that are in keeping with its mission. BTI thrives as a member of the Ithaca and Cornell communities, and seeks to enrich them in turn.

202 EMPLOYMENT AT WILL

Employment with BTI is subject to the conditions stated in the letter of offer extended to each employee. These conditions include, but are not limited to, the availability of funding, the continued need for the position, and continued satisfactory performance. Individuals employed with tenure should refer to the policies and procedures regarding performance evaluations, promotion, tenure and post tenure review.

Unless an employee has an employment contract for a certain term, his or her employment relationship with BTI is terminable at the will of either the employee or BTI, at any time, with or without cause. Either the employee or BTI may end the employment relationship at any time with a two week advance notice. In cases where the employee is being terminated for a serious violation of BTI policy, for gross incompetence in job performance, or where he or she represents a security risk, the two-week period may be waived.

Although employment is at will, terminations for performance are generally preceded by a period during which the supervisor interacts with the employee to make him or her aware of the specific performance problem(s) and the employee is provided with an opportunity to improve performance. If this process does not result in an acceptable improvement in performance, the employment relationship will be terminated.

203 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

BTI is committed to equal employment opportunity and affirmative action. It is the policy of BTI to provide equal employment opportunity to all employees and to all applicants for employment regardless of race, color, gender, religion, age, national origin, sexual orientation, marital status, disability, citizenship, or Vietnam-era veteran status. These policies apply to all Institute activities including, but not limited to, recruitment, hiring, compensation, training, promotion, and discharge. In compliance with federally mandated programs, it is the policy of BTI to maintain an affirmative action program towards applicants and employees in protected classes, including women, minorities, people with disabilities and Vietnam era veterans.

Employment decisions are based on job-related employment standards. Promotion decisions are based on merit, qualifications and competence, and experience, and are made in accordance with principles of equal employment opportunity by imposing only valid job requirements. This policy governs all aspects

of application, employment, promotion, assignment, discharge, and other terms and conditions of employment.

The Director of Human Resources is responsible for ensuring that reporting and monitoring procedures are in place to assess and improve the effectiveness of equal opportunity and affirmative action programs.

204 HARASSMENT

BTI is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments directed to a particular individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated.

BTI prohibits harassment in the workplace based on any of the above-listed characteristics. Impermissible harassment is defined as verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any of the above-listed characteristics and that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects an individual's employment opportunities.

Harassing conduct may include, but is not limited to epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts, including acts purported to be "jokes" or "pranks," and written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of one of the above-referenced characteristics, where it has these prohibited purposes or effects.

Any employee who believes conduct that violates this policy is occurring or has occurred is strongly encouraged to report the relevant facts promptly to the Director of Human Resources. All complaints will be investigated promptly and in as confidential a manner as possible. Appropriate disciplinary action, up to and including termination, will be taken against any individual found to have violated this policy.

No retaliatory action may be taken against an individual who, in good faith, reports a perceived violation of this policy.

205 SEXUAL HARASSMENT

BTI strictly prohibits sexual harassment in the workplace. Examples of sexual harassment include, but are not limited to:

- Unwelcome sexual advances
- Requests for sexual favors
- Other verbal or physical conduct of a sexual nature

No one with a supervisory role at BTI is at any time to threaten or imply that an individual's submission to or rejection of sexual advances will in any way influence any decision regarding that individual's employment, performance evaluation, pay, advancement, assigned responsibilities, or any other condition of employment or career development.

BTI policy similarly prohibits sexually harassing conduct by any Institute personnel that may create an intimidating, hostile, or offensive work environment, whether it be in the form of physical, visual, or

verbal harassment, and regardless of whether committed by an individual with supervisory authority or by any other individual. Such conduct includes, but is not limited to:

- Unwelcome sexual flirtations, advances, or propositions
- Verbal abuse of a sexual nature
- Graphic verbal comments about an individual's body
- Sexually degrading words used to describe an individual
- Display in the workplace of sexually suggestive objects or pictures

Any employee who believes that discriminatory, harassing, or other offensive conduct in violation of this policy is occurring or has occurred is strongly encouraged to report the relevant facts promptly to the Director of Human Resources. All complaints will be investigated promptly and in as confidential a manner as possible. Appropriate disciplinary action, up to and including termination of employment, will be taken against an individual found to have violated this policy.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the Director of Human Resources, who will handle the matter in a timely and confidential manner. A supervisor who is aware of or has been informed of an harassment incident and fails to report it to the Director of Human Resources may be subject to disciplinary action.

No retaliatory action may be taken against an individual who, in good faith, reports a perceived violation of this policy.

206 AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act (ADA) protects the employment and accessibility rights of individuals with disabilities. As defined by ADA, an individual with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities, or who has a record of such impairment, or who is regarded as having such impairment.

The ADA prohibits discrimination against qualified persons with disabilities in all employment practices, including job application procedures, hiring, firing, advancement, compensation, fringe benefits, training, and other terms, conditions, and privileges of employment.

It is the policy of BTI to comply with the ADA as it pertains to all of its employment practices. Any question regarding the Act or its implementation within the Institute should be addressed to the Director of Human Resources.

BTI facilitates the accessibility of its workplace by maintaining a ramp entrance and power assisted doors at the front entrance, and handicap parking spaces on the side of the building.

207 WORKPLACE VIOLENCE

It is BTI's policy to promote a safe work environment for its employees and others working or conducting research at the Institute. BTI is committed to working with its employees to maintain a work environment free from violence, threats of violence, harassment and intimidation.

Violence, threats, harassment and intimidation in our workplace will not be tolerated; that is, all reports of incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. The following list of behaviors, while not inclusive, provides examples of conduct that are prohibited:

- Causing physical injury to another person
- Possession of a weapon while on BTI property or while on Institute business
- Making threatening remarks that communicate a direct or indirect threat of physical harm
- Aggressive or hostile behavior that creates reasonable fear of injury to another person or subjects another individual to emotional distress
- Intentionally damaging employer property or property of another employee

208 OPEN DOOR POLICY

Direct and open communication is fundamental to BTI's culture. Good communication means that a healthy environment of mutual trust and respect exists in which employees and managers can comfortably discuss work issues or employment concerns. Because communication is so important, BTI has adopted a formal open door policy. The open door policy encourages open communication, feedback, and discussion about any matter of importance to an employee. If you have a problem, a complaint, a suggestion, or an observation, your supervisor is committed to listening and responding to you. Most problems can and should be solved in discussion with your immediate supervisor. The simplest, quickest and most satisfactory solution will most often be reached at this level. If, however, your concern is not resolved satisfactorily, you may bring your concern to the next level of management and/or Human Resources staff. If you are unsure about what direction to take, or would like assistance in approaching your supervisor, Human Resources staff can guide you through this process.

209 HIRING PROCEDURES

All regular positions at BTI are filled following an open solicitation for applicants, review of credentials, and selection of the most qualified candidate. A position is considered open when it has been included in an approved and funded project or service group budget and has had a written description developed for it. All positions are posted within the Institute and in the Cornell Chronicle. When appropriate, positions will be advertised in local newspapers, the Internet and/or selected professional society publications. Announcements may also be sent to institutions and individuals. BTI reserves the right to post jobs internally prior to external posting. Applications are maintained for a minimum of 1 year and may be made available for consideration in other positions that may open.

210 EMPLOYMENT APPLICATIONS

BTI relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. All job applicants are required to complete an employment application as part of the job application process. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Institute's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

211 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join BTI are well qualified and have a strong potential to be productive and successful, it is the policy of the Institute to check the employment references of applicants.

The Institute will respond to reference check inquiries from other employers. Responses to such inquiries will represent a good faith effort based on available factual information.

212 EMPLOYMENT OF RELATIVES

It is the policy of BTI that relatives of persons currently employed by the organization may be hired only if they will not be working directly for or directly supervising a relative. If already employed, they will not be transferred into such a reporting relationship. If a relative relationship is established during employment, the individuals concerned must work with management to establish which changes will be made to resolve the reporting relationship.

For the purposes of this policy, a relative is defined to include present or former spouses, domestic partners, parents, children, brothers, sisters, brothers- and sisters-in-law, fathers- and mothers-in-law, stepparents, stepbrothers, stepsisters, and stepchildren.

213 IMMIGRATION LAW COMPLIANCE

BTI complies with the Immigration Reform and Control Act of 1986 and is committed to employing only United States citizens and others who are authorized to work in the United States.

As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Service Form I-9. Before commencing work, rehired employees must also complete the form if they have not previously filed an I-9 with the Institute, if their previous I-9 is more than three years old, or if their previous I-9 is no longer valid.

The visa status of applicants who are not U.S. residents must be assessed prior to issuing an offer of employment. There are federal regulations that impose limitations on duration of stay and length of commitment that may prevent employment. Hiring supervisors should consult with the Director of Human Resources if there are questions on employment status.

214 NON-DISCLOSURE

The communication and critical discussion of scientific information has high priority at BTI. However, the protection of confidential research data and information is vital to the interests and the success of the Institute. Such confidential information includes, but is not limited to, unpublished scientific data and information on patent applications. Employees should discuss potential proprietary information with their immediate supervisors and receive approval prior to presentation of such information in seminars and like forums either within or outside the Institute.

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement. Any employee who discloses confidential information will be subject to disciplinary action, even if he or she does not actually benefit from the disclosed information.

215 ACCESS TO PERSONNEL FILES

Personnel files are the property of BTI and access to the information they contain is restricted. An employee may review material in his or her file but only in the office and in the presence of Human Resources. Copies of documents in the individual's personnel file may be obtained by requesting them from Human Resources. Supervisors may obtain access to files only of staff members whom they supervise.

Access to Promotion Files: Information obtained in confidence pertaining to scientist promotion considerations is retained in a separate file and is not available for employee review.

300 EMPLOYMENT CYCLE

301 EMPLOYMENT CLASSIFICATIONS

BTI has established definitions for employment classifications so that employees understand their employment status and benefit eligibility. Each job is designated as either non-exempt or exempt from the overtime provisions of the Fair Labor Standards Act. This classification is included in each job description

In addition, each employee will belong to one of the following employment categories:

Regular: anticipated to work 6 to 12 months, or longer than 12 months on a continuing basis

Temporary: anticipated to work 4 to 6 months

Casual: anticipated to work up to 4 months

Within each of these categories, the weekly work obligation is at one of the following levels: less than 20 hours per week, 20 to 29 hours per week, and 30 or more hours per week. The matrix of employment category and level of weekly obligation is used to determine the benefits received by the employee. (See section 500.)

302 TRIAL PERIOD

All new research and service support employees are evaluated after completing a 6-month trial period. The trial period is intended to give employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance. BTI uses this period to evaluate employee capabilities, work habits, and overall performance. Any significant absence will automatically extend this period by the length of the absence.

During the trial period, new employees receive those benefits for which they are eligible according to the Institute plan. Personal time may be taken as long as it does not exceed the number of days that have been accrued. Health insurance coverage is effective as of the first day of employment. Benefits that are dictated by law, such as worker's compensation insurance and Social Security, are received during the trial period.

Employees who are transferred within BTI may be required to serve another trial period if the requirements of the new assignment differ significantly from those of the previous position. The length of the additional trial period will normally be three months, but may be extended to 6 months under exceptional circumstances. In cases of transfers within the Institute, an employee who, in the judgment of the supervisor and with the concurrence of the Director of Human Resources, is not successful in the new position can be removed from that position at any time during the trial period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job for which the employee is qualified, depending on the availability of such positions and the needs of the Institute.

303 ORIENTATION OF NEW EMPLOYEES

Prior to hiring, the supervisor or project leader should discuss the following basic subjects with the candidate during the interview process. If for some reason this discussion does not occur, these subjects should be addressed during the first weeks of employment.

- Mission of the Institute
- Objective of the project
- Staff person's job description
- Evaluation and promotion procedures
- Salary schedule

During the first 2 weeks of employment, new employees receive basic orientation to BTI which includes review of and enrollment in benefits, pay procedures, review of basic employment policies, links to Cornell resources, tour of the building and an introduction to each service area. In addition, the employee's supervisor, or person designated by the supervisor, should review the following subjects

- Emergency procedures
- Safety procedures and required safety training sessions
- Radiation safety, if applicable
- Confidential information
- Research or work records
- Building, laboratory, and office security
- Work schedule and absence reporting
- Leave and time and effort reporting
- Purchase requisitions and approvals
- Telephone, fax and copier use — work and personal
- Service department procedures and utilization

304 JOB DESCRIPTIONS

BTI jobs have written job descriptions which are reviewed periodically for accuracy and completeness. Job descriptions are available from Human Resources or the BTI web site. Job descriptions provide guidance to project leaders and supervisors in determining job classifications for hiring and promotions. Job descriptions are also used to assist supervisors in assessing and evaluating their employees.

305 PERSONAL DATA CHANGES

It is the responsibility of each employee to promptly notify Human Resources of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, and other such information should be accurate and current at all times.

306 PERFORMANCE EVALUATIONS

All regular employees participate in a formal annual performance evaluation. Evaluations for all staff except Postdoctoral Associates and Research Associates occur each January. Postdoctoral Associates and Research Associates are evaluated on their anniversary date or their date of promotion.

Newly hired research support staff and administrative support staff are reviewed following completion of a 6-month trial period (see Section 301). Salary actions at the Institute are based on merit and are intended to recognize the level of employee performance. BTI pay bands are evaluated on an annual basis and individual salaries may be adjusted accordingly to maintain internal and external equity. The salary pool for merit pay increases is approved annually by the Board of Directors.

Supervisors and employees are strongly encouraged to discuss job performance and goals on a regular basis. In conjunction with their supervisor, employees establish short and long term goals as part of the annual evaluation process. During the year, employees and supervisors meet periodically to discuss the performance goals and to identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting the goals.

Research and service support staff hired on or after September 1 will receive their first annual appraisal and salary action in January following their first anniversary.

Annual Review for Scientists

Comprehensive performance evaluations are completed annually for all faculty/scientists by January 1. The objectives of the annual review are 1) to identify performance successes and problems and 2) to formulate meaningful research and career development plans. The annual review provides the scientist with regular and timely feedback on his or her performance with respect to the expected standard of accomplishment for their appointment level, and also evaluates the faculty member's standing for future promotion. The President may waive the annual evaluation under special circumstances such as sabbatical leave and family or medical leave.

BTI is a research institution and its criteria for performance evaluation emphasize accomplishment in research. Publications in prestigious peer-reviewed journals, acquisition of funding and rank among peer scientists are the primary criteria for promotion and evaluation. Accomplishments within and contributions to the scientific community, the Institute, and Cornell are important criteria, but secondary to those directly related to research.

An overall rating will be given based on the annual review. The possible ratings are exceptional, exceeds expectations, meets expectations, needs improvement, and unsatisfactory.

Scientific Promotions

The Boyce Thompson Institute (BTI) maintains a rigorous process for faculty/scientist promotion. Promotion to associate scientist is accompanied by the award of tenure. This promotion will normally not be considered prior to completion of five years as an assistant scientist. Typically, the process will be initiated within the first three months of the sixth year, and will be completed within nine months after initiation.

If a candidate for promotion to associate scientist is not promoted and awarded tenure, (s)he must leave the Institute within a period determined by the president, normally within 12 months and no longer than 24 months.

An associate scientist may apply for promotion to full scientist after completing five years at the associate level, unless special circumstances warrant accelerated consideration, determined at the discretion of the president. If promotion to full scientist is denied, the candidate may not reapply within two years.

The importance of balancing family and career responsibilities necessitates flexibility in the timing of promotion applications under circumstances such as the individual's serious illness, birth or adoption of a child, or caring for a critically ill family member. An individual in such circumstances may request extension of the tenure clock, usually for up to one year, to be approved at the discretion of the president. The extension must be requested in writing within six months of the specific event. The receipt of an extension does not change the criteria for promotion.

For the full policy, including criteria and process information, please see the BTI web site.

Appealing a Negative Promotion Decision

When a candidate for promotion and tenure receives notification from the president that tenure was not awarded, the candidate may appeal the decision by requesting that the president submit the matter to an appeals committee for consideration. The request must be made in writing within 30 days of notification of the negative decision. The president will decide whether the appeal states a permissible ground for appeal, as defined in this policy, and notify the candidate accordingly within 15 days of receipt of the request. The president may consult with the chair of the research oversight committee (ROC) and legal counsel in determining whether to permit an appeal.

If the request to appeal is granted, the candidate must submit all papers in support of the appeal to the president no later than 30 days after receipt of the president's decision to permit the appeal, unless extended by the president because of circumstances reasonably beyond the control of the candidate. The president will forward the appeal letter and supporting papers to the appeal committee.

In writing the appeal letter, the candidate should be aware that this letter will serve as the basis for determining whether there are grounds for an appeal and that, should the president grant the request, the letter will be forwarded to the appeals committee. The appeal letter and all papers submitted in support of the appeal may, in the discretion of the appeals committee, be shared with parties against whom any allegations are made and with any other persons deemed necessary by the committee in order to discharge its responsibilities under this policy.

If the appeal will not be completed before the expiration of the terminal date of employment established by the president upon the unfavorable tenure decision, the candidate may request that the president extend the appointment for a period of up to one year. Any such extension will be discretionary with the president, and will not imply any rights to tenure or continued employment beyond the period of the extension.

For the full policy and procedure, please see the BTI web site.

Post Tenure Review

BTI expects tenured faculty to maintain a research program that: 1) is consistently well funded, 2) demonstrates productivity through peer-reviewed publications; and 3) is highly recognized within the faculty's discipline. Contributions to the scientific community, the Institute, and Cornell are important criteria, but secondary to those directly related to research.

If during the annual review a tenured faculty member receives evaluations of unsatisfactory in two consecutive years, a formal post-tenure review is triggered. The post-tenure review is intended to help the scientist re-establish his or her research program and to ultimately help determine whether the scientist continues to serve at the Institute, or is required to leave.

A Post Tenure Review (PTR) Committee is constituted by the President and is comprised of the Vice President for Research, one tenured Institute scientist, two members of the Research Oversight Committee of the Board of Directors and one peer scientist from outside the Institute. The committee will convene twice to review the performance of the faculty member. The first meeting will be approximately 6 months after the triggering annual review. The committee's charge at this meeting will be to conduct an in-depth assessment of the scientist's performance, and review/critique the scientist's two-year plan for scientific and professional development.

The second PTR meeting takes place two years after the first PTR committee meeting, and will review performance since the initial meeting. The committee prepares a report for the President that summarizes performance during the two-year period, with particular emphasis on accomplishments and progress associated with the development plan, and any persistent performance issues. The report concludes with a final performance rating: "meets expectations", "continues to need improvement," or "remains unsatisfactory."

Having considered the assessment and evaluation of the PTR, the President will make a final determination of performance rating. If the President finds the scientist's performance meets expectations, the scientist will continue his/her research and subsequently be evaluated in the standard annual review process. If the scientist continues to need improvement, he or she will construct a development plan for the next year, which will be critiqued and reviewed by the President. At the end of that year, the President will evaluate the scientist's performance. If the President finds the scientist's performance to be unsatisfactory, the President will immediately initiate administrative action. Administrative action may include reassignment of responsibilities, reduction in office and lab space, reduction in salary, dismissal from the Institute, or other steps as determined by the President.

Termination Prior to Tenure

Notwithstanding the provisions of the paragraphs above, the employment of an Assistant Scientist may be terminated upon a finding by the President that 1) there is cause for the termination, 2) the financial exigencies of the Institute require such a dismissal, or 3) the Board of Directors has determined that the research area of the designated scientist be discontinued. Possible causes include misconduct, refusal to work on projects assigned by management, demonstrated lack of productivity, demonstrated neglect of duty, conviction of a crime, or other good or just cause.

400 WORKING AT BTI

401 WORK WEEK

The standard work week at BTI is Saturday through Friday. Employees work a standard 40 hours per week, with daily hours from 8:00 AM to 5:00 PM. One hour is allowed for lunch. A shorter lunch break of 30 minutes may be taken with approval of the employee's supervisor.

Breaks: A break period of fifteen minutes is allowed in the morning and afternoon. This time may not be added to the lunch hour or other off-duty time. It cannot be accumulated for a prolonged time-off period. Scheduling of break periods for individuals should not interfere with normal operations. Break periods should not occur at the beginning or at the conclusion of the working day.

Flextime: Flextime scheduling may be used in most cases to allow employees to vary their starting and ending times each day within established limits. Employees should consult their supervisor to discuss the possibility of establishing a flextime arrangement. Written supervisor approval including the specific flextime arrangement and reason for use of flextime should be reviewed by the Director of Human Resources and placed in the employee's file.

402 REPORTING TIME WORKED

Employees are required to accurately record time worked and leave time taken. Federal and state laws require BTI to keep an accurate record of hours worked and leave taken in order to calculate employee pay and benefits.

403 PAY DAYS

Employees are paid twice monthly, on the 15th and last day of the month. When a payday falls on a weekend or a holiday, payment is made on the last working day of the period. Each pay check carries a statement explaining gross earnings and deductions. Direct deposit is available to all employees.

Paychecks or pay stubs are available for pick up each payday and the day following. All staff are encouraged to retrieve their check or stub or they will be mailed on the second day.

404 OVERTIME

All jobs are evaluated to determine whether or not they are exempt or non-exempt and this status is reflected on the employee's job description. Non-exempt staff are subject to the Fair Labor Standards Act overtime requirements.

It is the objective of BTI to minimize overtime for all technical and service staff. However, when operating requirements or other needs cannot be met during regular working hours, employees may be required to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work by eligible staff must receive the supervisor's prior authorization.

Overtime compensation is paid to all eligible employees in accordance with federal and state laws at the rate of one and one-half times the regular pay rate for all hours over 40 in a work week.

As required by law, overtime pay is based on actual hours worked. Time off for medical reasons, personal time or any leave of absence will not be considered hours worked for purposes of performing overtime calculations. At BTI, holiday time is considered hours worked for purposes of computing overtime.

Eligible employees must obtain permission from their immediate supervisor prior to working overtime. It is the supervisor's responsibility to know when an employee is working overtime either with or without prior authorization. Failure to obtain authorization does not make working overtime permissible nor make it free from compensation. Repeatedly working overtime without prior approval may result in disciplinary action. It is the sole responsibility of the supervisor to minimize and control overtime through prior approval, and to insure appropriate compensation.

405 EMPLOYEE EXIT PROCEDURES

All employees leaving Institute employment, voluntarily or through discharge, must complete an exit checklist prior to issuance of the final paycheck.

Supervisors must complete a payroll termination form on each departing employee and turn it in to payroll. A letter of resignation should accompany the termination form for all voluntary terminations. All data and notebooks from research projects are the property of the Institute. Upon resignation, retirement or termination of assignment, all notebooks, methods, equipment, and other materials must be transferred to the appropriate project leader(s) by the last day of employment.

All BTI property, including keys and employee ID cards must be turned in as part of the exit procedure. When the exit procedure is complete, the employee will receive his/her final paycheck on the next scheduled payroll date.

500 EMPLOYEE BENEFITS

501 ELIGIBILITY

Eligible employees at BTI are provided a wide range of benefits. A number of the programs, such as Social Security, workers' compensation, statutory disability, and unemployment insurance, cover all employees in the manner prescribed by law.

Eligibility for benefits is dependent primarily upon employment category and hours worked weekly. The employment categories are as follows:

Hours Worked	Casual 0 - 4 Months	Temporary 4 - 6 months	Regular 6 or more months
< 20 hrs/wk	Statutory Disability	Statutory Disability	Statutory Disability
> 20 hrs/wk	403(b) Statutory Disability	Holiday, Health & Life Insurance, 403(b), Paid Time Off (PTO) Statutory Disability	Same as previous plus Pension and Long Term Disability, Select Benefits

502 HOLIDAYS

All temporary and regular employees working 20 or more hours per week are eligible to receive paid holidays. Employees are eligible immediately upon hire. BTI observes the following eleven days as holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving, and Winter Holiday (the work days including and between Christmas and New Year's Day.)

Part-time employees are paid for only those hours they would normally have worked on a holiday. If a holiday falls on a day a part-time employee is not scheduled to work, they will not be paid for that day.

If a recognized holiday falls during an eligible employee's paid absence (e.g., personal time, medical time), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Working on a Holiday: If an eligible employee works on a recognized holiday, he or she will receive holiday pay at his or her straight time rate for the hours worked on the holiday, unless taken as compensatory time at a later date (with permission of supervisor). Should the employee's work week exceed 40 hours, hours in excess of 40 will be compensated at 1 1/2 times the employee's hourly rate.

Paid time off for holidays will be counted as hours worked for the purposes of determining overtime.

503 PAID TIME OFF (PTO)

All regular employees working 20 hours or more per week are eligible for Paid Time Off. Employees working fewer than 20 hours, those working for less than 4 months and Visiting Scientists (scholars receiving only a stipend, not a full salary) are not eligible for PTO. PTO is a benefit that provides for scheduled and unscheduled time off with pay, including vacation time, employee and family illnesses, or

any other personal reason. PTO does not include jury duty, military duty, or bereavement time for an immediate family member, or sabbatical leave.

Paid Time Off Accrual: PTO is accrued on a monthly basis. Part time employees earn PTO on a prorated basis. Time earned increases with years of service in accordance with the following schedule.

<u>Years of Service</u>	<u>Personal Days/Year</u>	
0-3 years	20 days	(1.67 days/month)
4-6 years	25 days	(2.08 days/month)
7+ years	30 days	(2.5 days/month)

During the first 6 months of employment, employees may only take PTO that they have accrued. Special circumstances will be considered by the employee's supervisor and Human Resources.

Employees may carry over 10 days of PTO into their next service year.

Termination of Employment: When an employee leaves BTI, she/he will be paid for PTO accrued, but not taken, based on years of service. If at termination, the employee has taken PTO in excess of his/her accrual, the employee must reimburse BTI for the difference.

0-3 years of employment	10 days
4-6 years of employment	15 days
7+ years or employment	20 days

An employee's termination date is considered his/her last day of work. PTO may not be paid to extend the date of employment past the last day of work

Extended Illnesses: When an employee is unable to work due to illness or injury for more than 7 calendar days, he/she is covered under NYS Statutory disability (DBL). During the 7 day elimination period (generally 5 work days), the employee must use time from his/her PTO bank. Upon completion of the elimination period, the employee's salary is paid in the following manner, based on years of service.

During first 6 months of employment (probationary period):

Following the elimination period, the employee will receive DBL only (50% average weekly wage up to \$170/week maximum). If an employee has PTO accrued, he/she may use this to supplement DBL.

Following completion of 6 month probationary period through year 2:

Following the elimination period, BTI will pay the employee in full for an additional 3 weeks. During weeks 5 and above, the employee may use PTO to supplement DBL.

Years 3+:

Following the elimination period, BTI will pay the employee in full for an additional 7 weeks. During weeks 9 and above, the employee may use PTO to supplement DBL.

When an employee's disability leave ends, the employee will return to the same position or to a similar one for which qualified. If the previous position or a comparable one is not available, an effort will be made to offer another position that is available and suitable. Although every reasonable effort will be made to place an employee at the end of a disability leave, the employer cannot guarantee reinstatement in all cases, except as guaranteed by the Family and Medical Leave Act. If an employee is unable to

return to work after 26 weeks, his/her employment will be terminated and he/she may apply for long term disability.

Employees hired on or before December 31, 2004, who have not selected PTO, must follow the leave structure in place on December 31, 2004. These individuals may transition to PTO at the beginning of any calendar year, in the same accrual bracket they are in at the time of transition.

504 BEREAVEMENT TIME

Regular employees are allowed up to a maximum of 3 days paid bereavement time for immediate family members. If an employee needs additional time, he or she may use PTO with the supervisor's approval.

"Immediate family member" is defined as the employee's spouse, domestic partner, parent, child, sibling; the employee's spouse's parent, child, or sibling; son or daughter-in-law; grandparents or grandchildren; mother or father-in-law; brother or sister-in-law. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

If attending the funeral of an extended family member or friend, employees may use PTO.

505 JURY/WITNESS DUTY

BTI encourages employees to fulfill their civic responsibilities by serving jury or witness duty when required. Employees will be paid at their regular rate of pay while serving jury or witness duty. Leave for up to 3 months will be granted for each occurrence, and consideration will be given to extensions when required. It is expected that extended jury duty leave will occur no more frequently than every 2 years.

Employees must show the jury or witness duty summons to their supervisor as soon as possible so that arrangements may be made to accommodate the employee's absence. Employees are expected to report for work whenever the court schedule permits.

Accrual for benefit calculations, such as PTO and pension, will not be affected during jury or witness duty leave.

Other court appearances that an employee may be required to make, such as the person is a defendant, will be counted against PTO.

506 BLOOD DONATION LEAVE

In compliance with New York State law, BTI provides regular full and part time staff three hours of unpaid leave in any twelve month period for the purposes of donating blood. Leave time must be requested in advance and employees may choose to use paid PTO time (vacation time for legacy plan) in lieu of unpaid leave. Requests for more than three hours are subject to supervisory approval.

507 FAMILY AND MEDICAL LEAVE ACT

BTI complies with the provisions of the Family and Medical Leave Act (FMLA) of 1993. Under provisions of the Act, eligible employees may take up to 12 weeks of job protected unpaid leave per year. Eligible employees may take leave for the following reasons: 1) for the birth or adoption of a child or the placement of a child in foster care, 2) for serious illness of his or her spouse, domestic partner, parent, or child, or 3) for the serious illness of the employee.

In addition, eligible employees are entitled to a total of 26 workweeks of leave during a 12 month period to care for a military service member who has been injured in the line of duty. To be eligible for this leave, an employee must be the spouse, son, daughter, parent or next of kin of the covered service member. This provision does not expand the 12 workweeks of leave already available under the FMLA.

Eligibility: Regular full-time and regular part-time employees are eligible for and may request family leave after having completed 6 months of service in an eligible employment classification. Eligible employees may request up to 12 weeks of unpaid family leave per calendar year. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 30 calendar days.

Intermittent Leave: Up to 12 weeks of leave is normally taken as a block, but in certain circumstances when medically necessary and with a physician's certification, employees may take the leave as intermittent unpaid leave or work a reduced schedule to a total of 12 weeks in a one-year period.

Paid Time: If the FMLA-approved leave is due to the employee's serious health condition, the employee is paid in accordance with Paid Time Off guidelines (Section 503). If the FMLA-approved leave is taken to care for a seriously ill family member, or for time spent with a child following the disability period associated with delivery, the employee is required to use accrued PTO prior to taking unpaid leave.

Paid Parental Leave: Mothers and fathers of adoptive children, fathers and partners of birth mothers, are eligible for 2 weeks of paid parental leave to care for a newborn child, an adopted child, or for the commencement of the adoption process. This time may be taken as 4 weeks half pay or 2 weeks full pay, and may be taken any time during the 12 month period beginning with the birth of a child or during the adoption process. Paid parental leave will be provided by BTI, and is not deducted from the employee's PTO bank. Parental leave is considered part of, not in addition to, the 12 weeks of Family Medical Leave. (Employees who participate in the traditional leave policy are not eligible for this leave type, as they use family medical time for this purpose).

Benefits: Health insurance benefits will continue to be provided by BTI during family leave under the same payment plan for the staff member that is in effect at the time leave commences. PTO accrual and paid holidays will be suspended during unpaid family leave and will resume upon return to active employment. For purposes of determining pension vesting, the employee is considered to be continuously employed during the family leave period. For purposes of determining pension benefits, the family leave period will be ignored when calculating the highest 36 month average of pay.

Notification: When the necessity for family leave is foreseeable based on an expected birth or adoption or planned medical treatment, the employee must provide BTI with at least 30 days notice. If circumstances dictate that leave begin in less than 30 days, the employee must provide notice as soon as practicable. Depending on the reason for leave, written notice from a physician or from an appropriate agency or service must be provided to the Institute prior to its commencement. In an emergency, such notice should be provided to the Institute within seven days.

Return from Leave: If an employee returns to work within the 12 week period, he or she will be reinstated to the same or equivalent positions upon their return with no decrease in salary, accrued benefits, or seniority. If an employee fails to report to work promptly at the end of the approved leave period, the Institute will assume that the employee has resigned.

Provisions of the Family and Medical Leave Act are complex and the above information is provided as a broad summary of the provisions and the Institute's policies. You should contact Human Resources for specific information. With regard to matters not governed by federal, state, or local laws, the Institute

retains the right to modify its policies, practices, and rules regarding family and medical leave at any time as well as the right to interpret its existing policies in the event questions arise concerning implementation.

508 WORKERS' COMPENSATION

BTI provides comprehensive workers' compensation insurance to all employees. Workers' compensation covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short Institute-supported waiting period or, if the employee is hospitalized, immediately.

Any employee who sustains a work related injury or illness should inform his or her supervisor immediately. They should also complete a first report of injury form with Human Resources.

509 BUSINESS TRAVEL ACCIDENT INSURANCE

All benefits eligible employees (20 hours per week or more) are covered by Business Travel Accident Insurance and MEDEX travel services. The Business Travel Accident Insurance coverage provides a benefit payment in case of death and or dismemberment occurring while on BTI related travel. The MEDEX travel services include medical assistance, medical transportation, travel assistance, and personal assistance services, 24 hours a day 7 days a week, for those on BTI related travel.

The insurances cover all work-related travel whether it is local, domestic or international.

The domestic and international coverage includes personal sojourns incidental to and associated with BTI business related travel. The coverage does not include family members or others traveling with you.

510 STATUTORY DISABILITY

Statutory Disability Benefits are payable for any non-work related injury or illness (including disability due to pregnancy) beginning with the 8th consecutive day of disability. Benefits are payable for up to 26 weeks. Benefit payments are based on your average weekly wages for the 8 weeks immediately prior to your disability, and are subject to the maximum allowable by the law in effect on the initial day of disability (50% average weekly wage, maximum of \$170/week).

To claim benefits you must file written notice and proof of disability (Claim Form DB-450). These forms are available through Human Resources. Benefits are paid directly to you through the insurance carrier.

For more information on your pay during a short term disability, see Section 503 (PTO).

511 LONG TERM DISABILITY

This insurance coverage is provided to employees working 20 hours or more per week, for at least 6 consecutive months, through a group plan. Employees become eligible for this coverage on the first day of the first full month of employment. BTI pays the full cost of this coverage. Currently, after 180 days (6 months) of permanent disability, the employee will receive approximately 2/3 of his or her base pay up to a monthly maximum. See Human Resources for specific details.

512 HEALTH INSURANCE

All regular full time and part employees, as well as temporary employees working more than 20 hours per week are eligible to participate in the Institute's health insurance plan(s). Health insurance begins the first of the month following date of hire. Employees share in the cost of health insurance. See Human Resources for additional details.

Supplemental Health Insurance for cancer is offered to all eligible employees. Interested individuals should see Human Resources for additional information.

513 DENTAL INSURANCE

All regular full time and part employees, as well as temporary employees working more than 20 hours per week are eligible to participate in the Institute's dental insurance plan(s). Dental insurance begins the first of the month following date of hire. Employees share in the cost of dental insurance. See Human Resources for additional details. (Effective 1/1/09)

514 BENEFITS CONTINUATION (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the employer's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are: resignation, termination of employment, or death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation, and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the employer's group rates. The employee must elect coverage within 60 days of the qualifying event.

The employer provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the employer's health insurance plan. The notice contains important information about the employee's rights and obligations.

515 FLEXIBLE SPENDING ACCOUNTS

All full- or part-time regular employees are eligible to participate in the select benefits plans. This plan allows employees to set aside a portion of their salary, before tax, to pay for certain allowable routine and predictable medical and dependent care expenses. There are three reimbursement accounts available, one for Health Insurance Premiums, one for Medical Care Reimbursement and another for Dependent Care Reimbursement. This money is placed in a reimbursement account and the employee submits claims for allowable expenses incurred in the plan year. In the case of the health insurance premiums, no claims are necessary because it is taken care of through payroll. If an account is left with any balance it cannot, by law, be returned to the employee or used in another plan year. Claims for reimbursement must be made by March 31 of the following year.

Enrollment is for the calendar year and employees enroll in December for the following year. New employees may enroll within 30 days of start of employment. No changes can be made to these accounts during the calendar year unless a change in family status occurs. Changes of family status include but are not limited to marriage, birth, adoption, divorce or death.

516 GROUP TERM LIFE INSURANCE

All regular and temporary employees working 20 or more hours per week are automatically enrolled in the group term life insurance plan. Casual employees are not eligible. Coverage begins on the first day of employment and is equal to twice the current annual salary of the employee, rounded to the next \$1,000, to a maximum of \$150,000.

Accidental death and dismemberment insurance is also provided by the Institute. Coverage begins on the first day of employment and in the event of death, is the same amount as, and in addition to, the life insurance described above. Payments for disbursements and other losses are determined by the policy's schedule of benefits.

517 SUPPLEMENTAL LIFE INSURANCE

All regular and temporary employees working 20 or more hours per week may purchase supplemental life insurance for themselves and for their dependents. Additional life insurance may be purchased in \$10,000 units, up to five times the employee's annual salary, rounded to the next higher \$10,000, to a maximum of \$300,000. If this additional insurance is not purchased at time of initial enrollment, a coverage eligibility form must be completed and approved by the carrier. Life insurance coverage for an employee's spouse is available in \$5,000 units, up to 50% of the employee's issued coverage, to a maximum of \$150,000. For a child, coverage is available in \$2,000 units, to a maximum of \$4,000. If the spouse does not elect coverage, the maximum per dependent is \$2,000.

518 BTI RETIREMENT PROGRAM

All employees who regularly work 20 hours or more per week are eligible to participate in the BTI retirement program. There are two components to the program, a pension plan and a 403(b) plan. The pension plan is fully funded by BTI. The longer you work for BTI, the greater your retirement benefit will be. If you leave BTI before retirement you can take your vested retirement benefit with you and re-invest it. Individuals must be employed for 3 years in order to be vested in the pension plan.

The second component of the plan is a 403(b) plan. There is a discretionary component of the 403(b), which is fully funded by BTI, and an elective employee contribution account with employer match. The 403(b) plan gives you the opportunity to invest in a variety of options. The discretionary contribution requires a 3 year vesting period, while all compensation deferrals and employer matches are immediately vested and can be re-invested upon termination of employment. BTI matches 100% of your pre-tax deferral up to 3% of eligible compensation.

The discretionary employer contribution is based on years of service and will be distributed after the end of the calendar year. Contributions are listed below:

<u>Years of Service</u>	<u>Percentage of Contribution</u>
<5 years	4%
5 – 9 years	6%
10+ years	9%

For more information, please review the summary plan description for the BTI retirement program.

519 LONG TERM CARE INSURANCE

All BTI employees and their families are eligible to apply for long term care insurance. The cost of this coverage is borne in full by the employee. Information on this coverage is available from Human Resources.

520 SOCIAL SECURITY AND MEDICARE

Federal Insurance Contribution Act coverage (FICA) is automatically provided to all employees upon retirement. This coverage involves two deductions from each paycheck, which are matched by BTI. The first social security tax is Medicare Hospital Insurance (HI). The second is for OASDI/Disability. OASDI stands for Old Age, Survivors, and Disability Insurance

521 EMPLOYEE ASSISTANCE PROGRAM (EAP)

BTI has a contract with Family and Children's Services of Ithaca to provide confidential, professional counseling to all employees and their family members. Services are provided free of charge and can be arranged by phone or visit. Use of this Employee Assistance Program (EAP) does not have to be for work-related issues. EAP offers a wide range of services for personal, family, and work-related concerns. They offer counsel on family and marital difficulties, alcohol and drug issues, emotional distress, legal and financial concerns, job or workplace issues, and other areas of need. All calls and visits are kept confidential by EAP. To access EAP, call Family and Children's Services of Ithaca.

522 TUITION REIMBURSEMENT

The Tuition Reimbursement Plan provides eligible employees with the opportunity to maintain or improve job-related skills through participation in course work at accredited colleges, universities and other educational institutions. BTI offers three different types of tuition reimbursement: 1) undergraduate and graduate level course work; 2) professional certification; and 3) lifetime learning. Tuition reimbursement is subject to current tax regulations.

Undergraduate and Graduate Level Courses: After one year of service, employees who regularly work 30 hours or more per week may apply for reimbursement for undergraduate or graduate level courses. Courses may be part of a degree program, or may be taken in a non-matriculated status. Courses must be taken through an accredited college or university. Employees will be reimbursed for 80% of tuition, books and applicable course fees for job related course work, up to a maximum of \$5,250 per calendar year. Classes that are not job related, but are part of a degree program, will also be reimbursed, however preference will be given to classes that relate directly to career advancement. BTI will honor all requests for reimbursement up to the annual budgetary limit. For undergraduate or graduate level coursework, tuition and eligible fees are reimbursed only for courses taken and completed with a final grade of at least "C" or equivalent.

Non-degree courses at Cornell: BTI employees are eligible to participate in the extramural education program at Cornell University after 6 months of employment. Cornell University guidelines apply. Eligible employees may also take up to 4 credits per semester at Cornell in a non-degree status. Registration forms are available from Human Resources. Coursework must be approved in advance by the employee's supervisor and the course instructor.

Professional Certification Programs: After 6 months of employment, regular full and part time employees working 30 hours or more per week may apply for reimbursement for coursework leading to professional certification. Programs leading to professional certification must be job-related, and should provide the

participating employee with knowledge and skills applicable to their current position or career path. BTI will reimburse employees for 100% of course fees and books, upon successful completion of the course, up to \$1,000 per calendar year, based on funds available.

Lifetime Learning and Wellness: BTI will reimburse employees for up to \$100 per calendar year for non-college coursework, or for participation in wellness programs, including health club membership. Eligible employees must work a minimum of 20 hours per week and have been employed for 6 months. To be reimbursed for a lifetime learning program, a receipt and proof of class completion should be submitted to Human Resources. Life time learning classes do not need to be approved in advance.

523 PERSONAL LEAVE OF ABSENCE

Personal leave without pay is available to regular full- or part-time employees working more than 20 hours per week, who wish to take time off from work duties to fulfill personal obligations. This leave may be requested only after having completed one year of service. Personal leave may be granted for a period of up to 90 calendar days every three years. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 90 calendar days. Pending the supervisor's approval, employees may take any available personal time prior to the effective date of the personal leave of absence.

Requests for personal leave will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, BTI will continue to provide health insurance benefits until the end of the month in which the personal leave begins. At that time, employees will become responsible for the full costs of their health insurance benefits. BTI will resume payment of the costs of these benefits when the employee returns to active employment.

PTO accrual will be suspended during unpaid personal leave and will resume upon return to active employment. For purposes of determining pension vesting, the employee will be considered to be continuously employed during the personal leave period. For purposes of determining pension benefits, the personal leave period will be ignored when calculating the highest 36 month average of pay.

When personal leave ends, the employee will return to the same position or to one for which her or she is qualified. If the previous position or a comparable one is not available, an effort will be made to offer another position that is available and suitable. Although every reasonable effort will be made to place an employee at the end of a personal leave, BTI cannot guarantee reinstatement in all cases.

If an employee fails to report to work at the expiration of the approved leave period, BTI will assume that the employee has resigned.

524 MILITARY LEAVE

Employees who are members of the National Guard, Coast Guard, or U.S. Military Reserve Units will be granted leave with pay once a year for a training period of more than seven days but less than thirty calendar days in duration.

An employee should notify his or her supervisor as soon as possible, generally at least two weeks in advance of the scheduled training, specifying the reason and duration of military leave.

Employees will continue to receive full pay while on leave for up to thirty days. The portion of any military leave of absence in excess of thirty days will be unpaid. However, employees may use any available paid time off for the absence.

Upon returning from military leave, employees will be reinstated to their previous position or a comparable one in conformance with state and federal law. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

525 SABBATICAL LEAVE

BTI encourages Assistant, Associate and Full Scientists to take advantage of the sabbatical leave program. Every 6 years, each member of the scientist staff will be eligible to take a sabbatical leave of up to twelve months. In the case of sponsored programs, eligibility will be subject to restrictions of the sponsor. The Institute will contribute fully to the salary for absences of 6 months duration, but the contribution will be 50% of gross salary for absences of twelve months. Employees on leave will be obliged to return to BTI at the conclusion of the leave for at least one year of further service.

Authority for granting sabbatical leaves rests with the President and is discretionary. Leave is not automatic; instead, it is available to those eligible after proper justification and approval.

600 POLICIES RELATED TO SCIENCE

601 EMERITUS SCIENTIST

All BTI Scientists retiring voluntarily with ten or more years of service may be considered for Emeritus status. Criteria for nomination include: 1) significant contributions to BTI throughout the scientist's length of service, and 2) significant contributions going beyond the normal duties and responsibilities of the appointment that have an extraordinary impact on either the Institute and/or the broader scientific community. The procedure, privileges and responsibilities of Emeritus Scientists are outlined in the complete Emeritus Scientist policy located on the BTI web site.

602 RESEARCH RECORDS

All research performed at BTI must produce records that:

- Are sufficiently clear and complete to allow others to understand the work and to plan and conduct further work without consulting directly with the original researcher,
- Provide reasonable evidence to establish what was done, when it was done, why it was done, how it was done, and who did it,
- Are properly indexed and stored to assure permanency and easy retrieval.

Why this is important:

- Continuation of projects often depends on detailed records created by other researchers.
- Granting agencies and foundations that support our research require detailed and accurate documentation of research performed and results obtained.
- If an invention is created, the inventor must document it and create records sufficient to defend it against competitors.

Anyone who generates research or contract data for BTI must comply with the guidelines for research records.

603 GRADUATE STUDENTS

BTI welcomes graduate students from various fields at Cornell for research activities. Graduate students are admitted to Institute labs through consent of project leaders who are members of the corresponding graduate fields on campus.

All graduate students working at BTI are bound by all rules and regulations of Cornell University, and those of the Institute.

Graduate students working full time with Institute scientists to complete an advanced degree may be assigned office space only if necessary. This determination is made based on the level of activity the student will have at the Institute and the availability of office space in the student's Cornell department.

604 PATENT POLICY

BTI's Patent Policy is intended to assure that creative works at the Institute are encouraged and rewarded while providing for the public good. Often this can best be achieved by patent protection of inventions in order to encourage industrial commercialization of research results, while benefiting BTI and the individual inventors.

In general BTI will reward researchers for generating patents by distributing 30% of net revenues from licensing arrangements to inventors named on patents (net after recovering BTI's legal and patent costs).

The complete Patent Policy and Procedure is located on the BTI web site.

605 ALLEGATIONS OF MISCONDUCT IN SCIENCE

BTI policy requires that scientific personnel maintain high ethical standards in research and research-related activities. Any individuals who believe an act of research misconduct has occurred or is occurring should notify the Institute's Research Integrity Officer (RIO)¹ or the BTI President. Allegations of misconduct will be reviewed promptly and thoroughly, consistent with protection of the rights of individuals accused of misconduct and those making the accusations. In all cases, accused individuals will be considered innocent absent an admission or positive determination of misconduct by the BTI President. The President, in consultation with the RIO, will have primary overall responsibility for the administration of the procedures to be followed in dealing with misconduct allegations. The President will have the responsibility to determine any appropriate sanction to be imposed by the Institute, subject to a right of appeal.

BTI has adopted the definition of research misconduct promulgated by the U.S. Department of Health and Human Services (HHS) (42 CFR Parts 50 and 93, Federal Register Vol. 70, No. 94, May 17, 2005)

Definition: Research misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. (a) Fabrication is making up data or results and recording or reporting them. (b) Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record. (c) Plagiarism is the appropriation of another person's ideas, processes, results, or words without

¹ The BTI Vice President for Research will serve as the Research Integrity Officer (RIO).

giving appropriate credit. (d) Research misconduct does not include honest error or differences of opinion.

Confidentiality: To the extent allowed by law, the identities of respondents and complainants will be maintained securely and confidentially and identifying information will not be disclosed, except to: (1) those who need to know in order to carry out a thorough, competent, objective and fair research misconduct proceeding; and (2) the NIH Office of Research Integrity (ORI) as it conducts its review of the proceeding, and any subsequent actions.

To the extent allowed by law, any information obtained during the research misconduct proceeding that might identify the subjects of research will be maintained securely and confidentially and will not be disclosed, except to those who need to know in order to carry out the proceeding.

Protective Measures: At any time during a research misconduct proceeding, BTI shall take appropriate measures to protect public health, federal funds and equipment, and the integrity of the Public Health Service-supported research process. The necessary actions will vary according to the circumstances of each case, but examples of actions that may be necessary include delaying the publication of research results, providing for closer supervision of one or more researchers, requiring approvals for actions relating to the research that did not previously require approval, auditing pertinent records, or taking steps to contact other institutions that may be affected by an allegation of research misconduct. These actions may conflict with confidentiality measures taken by BTI. In these instances, the President, in conjunction with the RIO and Institute counsel, will determine the most prudent course of action.

Procedures:

I. Preliminary Assessment

Upon receipt of an allegation of misconduct, the President will promptly assess whether or not an inquiry is warranted. An inquiry will be conducted when the allegation: 1) meets the HHS definition of research misconduct; and 2) is sufficiently credible and specific so that potential evidence of research misconduct may be identified. Should the President have a conflict of interest, the RIO will make the preliminary assessment.

II. Inquiry

The President will conduct the inquiry unless there is a conflict of interest, as determined by the President and the RIO. The purpose of an inquiry is to conduct an initial review of the evidence to determine whether or not to conduct a formal investigation. For this reason, the inquiry does not require full review of all the evidence related to the allegation.

- a. **Initiation of Inquiry:** Prior to or at the beginning of the inquiry, BTI will provide the respondent(s) written notification of the inquiry and will take all reasonable and practical steps to sequester research records and other evidence needed to conduct the research misconduct proceeding. These materials will be inventoried and sequestered in a secure manner. If the inquiry subsequently identifies additional respondents, they will be promptly notified in writing.
- b. **Timeline:** The inquiry, including preparation of the inquiry report and providing the respondent a reasonable opportunity to comment on it, will be completed within 60 days, unless circumstances warrant a longer period. The respondent's comments will be attached to the final report. Also, comments on the report may be solicited from the complainant at this time.
- c. **Investigation:** An investigation will be considered warranted when (1) there is a reasonable basis to conclude that the allegations meet the HHS definition of research misconduct and (2) the inquiry concludes that the allegations may have substance.

- d. Report Contents: The inquiry report will contain the following information: 1) name and position of respondent(s); 2) a description of the allegation of research misconduct; 3) the names of all sponsors (such as PHS, USDA, NSF, etc.) and the research, publications, proposals, or grants associated with the alleged misconduct; 4) the basis for recommending or not recommending an investigation; and 5) comments from the respondent and complainant, if any.
- e. Inquiry Outcome: The respondent(s) and complainant(s) will be notified in writing of the outcome of the inquiry. If it is determined that an investigation is not warranted, BTI will maintain documentation of the inquiry, and keep these records secure for at least 7 years. If it is determined that an investigation is warranted, the President will appoint an Investigating Committee (see below) and the investigation will begin within 30 days.

Note: Special circumstances may require additional actions during the course of the inquiry or investigation².

III. Investigation

If it is determined that an investigation is warranted, the ORI or another appropriate agency will be provided with the complete inquiry report within 30 days. If requested, ORI will be provided with additional information, including: (a) a copy of BTI policies and procedures under which the inquiry was conducted; (b) the research records and evidence reviewed; (c) transcripts or recordings of any interviews; (d) copies of any other relevant documents; and (e) the charges for the Investigating Committee to consider.

The President will appoint an Investigating Committee (the “Committee”) comprised of a total of at least 3 but no more than 5 members of the scientific staff of the Institute or Cornell University, with one designated as chairperson. The Committee is responsible for conducting the investigation of the allegations, documenting its activities and pertinent evidence, making findings of fact based on the preponderance of evidence, and recommending appropriate actions, which may range from dismissal of charges to sanctions. The Committee will use diligence to ensure a thorough and fair investigation, and will pursue all significant issues and leads discovered that are determined to be pertinent, including evidence of additional instances of possible research misconduct. Key steps and time frames are outlined below:

- a. Notification of Investigation. Within 30 calendar days after determining that an investigation is warranted, the respondent(s) will be notified in writing of the allegations to be investigated, including any new allegations that have arisen in the course of the inquiry.
- b. Scheduling of Interviews. The Committee will, to the extent possible, interview each respondent, complainant, and any other person who has been reasonably identified as having pertinent information. The respondent(s) will be given sufficient notice to schedule his/her interview in order to prepare and arrange for the attendance of legal counsel, if desired.
- c. Draft Report. The investigation and draft report of findings will be completed within 60 days. If unable to complete the investigation within this period, the Committee may request a 60-day extension. This request must be approved by the President and ORI.

² Special Circumstances that may Require Protective Actions: At any time during a research misconduct proceeding, BTI shall notify ORI or another cognizant agency if there is reason to believe that any of the following conditions exist: (1) health or safety of the public is at risk, including an immediate need to protect human or animal subjects, (2) HHS or other agency resources or interests are threatened, (3) research activities should be suspended, (4) there is a reasonable indication of violations of civil or criminal law, (5) federal action is required to protect the interests of those involved in the research misconduct proceeding, (6) we believe the research misconduct proceedings may be made public prematurely, so that HHS or other agencies may take appropriate steps to safeguard evidence and protect the rights of those involved, or (7) we believe the research community or public should be informed

- d. Responses to Draft Report. The respondent(s) will be provided with a copy of the draft report and a copy of, or supervised access to, the evidence on which the report is based, with the exception of interview records or other confidential materials. Also, the complainant(s) may be provided with a copy of the draft report or relevant portions thereof, at the discretion of the president. Any comments from the respondent or complainant must be submitted within 30 days of the date on which the draft report was received.
- e. Final Investigation Report. The Committee will submit a final report to the president within 52 days after providing the draft report to the respondent(s) . Additional time may be requested if justified. The final report will state the Committee's findings and recommendations, and document its efforts.

IV. Institutional Determination

The President will review the final report and make an institutional determination within the 120-day overall framework of the investigation, beginning with initiation of the investigation. The determination will state the following: (a) whether the Institute accepts the findings of the Committee, in whole or in part; (b) whether the Institute concludes that there was research misconduct and if so, who committed the misconduct; and (c) a statement of administrative actions, if any, to be taken against the respondent(s) by the Institute.

The President will notify the complainant(s) and respondent(s) of the institutional determination, and will make a copy of the final investigation report available to them and to the appropriate funding organization(s).

At the completion of the investigation proceedings, BTI will undertake all reasonable, practical, and appropriate efforts to protect and restore the reputation of any person alleged to have engaged in research misconduct, but against whom no finding of research misconduct was made, upon the request of that person, his/her legal counsel or their other authorized representative. BTI will also undertake all reasonable and practical efforts to protect and restore the position and reputation of any complainant(s), witness(es), or committee member(s) and to counter potential or actual retaliation against those complainants, witnesses and committee members.

V. Appeals:

The individual(s) accused of misconduct may appeal any institutional sanctions or employment actions through the BTI grievance procedure. The appeal should state the areas of disagreement and reasons for disagreement, and should be submitted to the Director of Human Resources within 30 days of receipt of the Institutional Determination. The Institute's findings and conclusions are not subject to appeal through the BTI grievance procedure.

Notification to ORI:

The Institute will forward its determination and the Final Investigation Report to ORI or the cognizant agency, and report on the status of any pending or completed administrative actions against the respondent(s), including the status of any appeal and any settlement.

Working with ORI

BTI will cooperate fully and on a continuing basis with ORI during its oversight reviews of its research misconduct proceedings, and during the process under which the respondent(s) may contest ORI findings of research misconduct and proposed HHS administrative actions. This includes providing, as necessary to develop a complete record of relevant evidence, all witnesses, research records, and other evidence in BTI's custody or control.

BTI will report to ORI any proposed settlements, admissions of research misconduct, or institutional findings of misconduct that arise at any stage of a misconduct proceeding, including the allegation and inquiry stages.

Institutional Actions in Response to Final Findings of Research Misconducts

BTI will cooperate with and assist ORI and HHS, as needed, to carry out any administrative actions HHS may impose as a result of a final finding of research misconduct by HHS. Note, institutional (BTI) sanctions or actions may differ from those imposed by ORI or HHS and may include termination or legal action.

700 ADMINISTRATIVE POLICIES

701 SAFETY

Establishment and maintenance of a safe work environment is the shared responsibility of all employees. BTI will take all reasonable steps to assure a safe environment and compliance with federal, state, and local safety regulations. Policies associated with safety at the Institute are presented in the Safety Handbook available in each laboratory and work area. Employees must obey safety rules and exercise caution in all their work activities. They are asked to immediately report any unsafe conditions to their supervisor. All employees are expected to correct unsafe conditions as promptly as possible.

All accidents that result in injury must be reported to the appropriate supervisor, regardless of how insignificant the injury may appear. In addition, an Accident Form must be completed and returned to Human Resources.

To assist in the effort to provide a safe work environment for employees and visitors, BTI has established a Safety Committee composed of representatives from throughout the organization. The committee exists to help communicate and execute an effective safety program and may be consulted by any employee. The Safety Committee conducts quarterly safety inspections of all Institute work areas, produces a written report, and monitors correction of unsafe practices and conditions.

702 USE OF TELEPHONE, FAX AND MAIL SYSTEMS

BTI recognizes that staff will on occasion need to use the telephone for personal use. While such use is permitted, it should be kept to a minimum and not abused. Employees are required to pay directly for personal long distance phone calls. Cell phones and phone cards may be used to make such calls.

Red emergency phones are located on each floor and in three places in the greenhouse/growth chamber area. When the receiver is displaced, a signal is automatically sent to Cornell Campus Police who will then respond to that location. These phones cannot be used for making or receiving calls.

The Institute mailroom is located on the first floor near the elevator. Domestic and international mail can be sent through the mailroom. Please indicate your name on the return address of your mail so that you can be contacted in case of questions.

All purchased goods are delivered to the stockroom. If goods are delivered directly to a staff member, notify the stockroom.

Courier mail services are available through the Institute for business use. Federal Express and Airborne Express packages are picked up and delivered daily. U. S. Express mail can be sent through the mail room at the same times that mail is postmarked. UPS can be sent and received through the stockroom.

703 USE OF BTI VEHICLES

BTI vehicles are available for accomplishing specific tasks associated with BTI business. Only staff members who possess a valid driver's license recognized in New York State may use Institute vehicles for project or business purposes. When using Institute vehicles, employees are expected to exercise care and follow all operating instructions, safety standards, and laws. Vehicles must be signed out.

The improper, careless, negligent, destructive, or unsafe use or operation of vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, including discharge. Payment of traffic and parking fines is the responsibility of the operator.

704 USE OF BICYCLES

BTI encourages the safe use of bicycles for campus or local errands, and for commuting to and from the workplace. An Institute bicycle rack is available for general use.

705 EMERGENCY CLOSINGS

Emergency conditions, such as severe weather, fire, or flood, can disrupt operations at BTI and interfere with work schedules, as well as endanger the well-being of employees. These extreme circumstances may require the closing of the Institute. In the event that such an emergency occurs during non-working hours, local radio and television stations will be asked to broadcast a closing notification. In the case of closings or delays due to general weather or travel conditions, the Institute will generally follow the lead of Cornell with regard to operations.

When the Institute closes by direction of management, the time off from scheduled work will be paid and should be recorded as "Emergency Time." If the Institute is not officially closed, employees may request use of available paid leave time, such as unused PTO, or may arrange with their immediate supervisor to make up the time.

706 RECYCLING

BTI is committed to appropriate use of natural resources within the context of its research. Therefore, the Institute supports the reduction of waste by such means as avoiding overstocking of chemicals and unnecessary use of materials and energy. Additionally, the Institute supports the re-use of materials whenever feasible in order to further reduce waste. Finally, the Institute supports recycling of materials including paper, glass and aluminum. The Institute recognizes that substantial efforts have been made along these lines and encourages all staff to participate in the appropriate management of our resources. Please see your supervisor for more details.

707 TRAVEL EXPENSE POLICY

Travel expenses for the staff will be reimbursed for trips on BTI business. This will include all reasonable out-of-pocket expenses for trips made on professional activities or to conduct research outside of the immediate Ithaca area. Clearance for all travel must be obtained in advance from the immediate supervisor on a Travel Authorization form. This form should then be submitted to the appropriate supervisor for approval.

Persons traveling at Institute expense should exercise the same caution in using Institute funds as they would exercise with their own money. As a general rule, plane travel should be tourist or economy. BTI will reimburse, at a pre-determined rate, for the use of frequent flyer awards used towards the purchase of airline tickets for Institute travel. Institute vehicles should be used for business travel when available. Personal vehicles may be used when necessary. Reimbursement will be at a set number of cents per mile, plus tolls, but not to exceed the equivalent air fare. Costs not specifically related to project travel, such as passport renewal costs, are not reimbursable.

If rental vehicles are used, Cornell discounts should be requested. Since the Institute's commercial liability policy covers hired vehicles, extra liability insurance on a rental vehicle should not be purchased. However, the "Collision Damage Waiver" offered by the rental company should be accepted since the Institute's policy does not include collision damage for hired vehicles. BTI self-insures Institute property in transit up to \$5,000 per claim loss with evidence of forced entry. Therefore, it is not necessary to purchase personal effects coverage for Institute property worth less than \$5,000. Inform the business office if Institute property worth more than \$5,000 will be in transit.

BTI will not reimburse the traveler for the purchase of Personal Accident Insurance, which may provide death, medical, and ambulance benefits to the vehicle renter and passengers.

Any expenses for required or recommended immunizations obtained specifically for project-related travel should be reimbursed from project funds to the traveler along with other expenses for the trip in question. A fully itemized account of the expenditures, including the dates and places visited, type and name of transportation carrier, along with an explanation of any unusual items, must be filed on a Travel Voucher form. This should be submitted to the person authorizing the trip, who will endorse and relay it to the business office for payment.

708 LOCAL TRAVEL POLICY

The purpose of local travel reimbursement is to pay employees for work-related travel, in their personal vehicle, within the immediate Ithaca area when Institute vehicles are unavailable or their use is impractical. The rate of reimbursement is at a set number of cents per mile times the number of extra miles incurred plus tolls and parking. Extra mileage is the additional mileage incurred over and above the normal mileage to and from work. Reimbursement should be claimed on a Local Travel Voucher form. The form must be approved by the project leader or supervisor. Please note that there are Institute vehicles available for work-related local travel; see Section 702.

Examples:

Employees who are requested, by their supervisors, to make a business-related side trip on the way to or from work may request reimbursement. If, for example, the normal distance to work is 15 miles but the side trip caused the distance to work to be 20 miles, 5 miles are reimbursable.

An employee who is at work and is asked to take his/her vehicle and perform Institute business may request reimbursement. The total mileage is reimbursable unless it is a side trip, in which case reimbursement will be as in #1 above.

Full-time and regular part-time staff who are assigned to work at research sites and who will travel extra miles to reach home or work may request reimbursement.

709 USE OF VOLUNTEERS

On occasion, the situation arises where an individual is interested in working at BTI in a volunteer status. The Institute neither encourages nor discourages the use of volunteers. However, any person wishing to act in a volunteer status must read and sign a letter of agreement, available from the Director of Human Resources that outlines the conditions under which they may work.

All volunteers must be 18 years or older and have their own current medical insurance coverage. There is no financial compensation associated with volunteer work and volunteers are not covered by employee benefits nor by worker's compensation. BTI's liability policy provides for the coverage of volunteers but only while acting at the specific request of an authorized employee of the Institute to perform unsalaried services on behalf of the Institute. Work under any hazardous condition is not permitted.

BTI bears no responsibility in case of an accident or health problem that may be encountered as a result of activities carried out in connection with volunteer activity or otherwise. All volunteers are subject to BTI regulations, the laws of the United States, and of New York State. In the event these regulations or laws are violated or behavior which is considered to be detrimental to staff or the Institute is observed, BTI shall have the right to dismiss any volunteer without prior notice. Volunteers do not have a formal appointment in the Institute.

710 CONSULTING

BTI recognizes the value of consulting and other external activities to its staff and to the Institute. These activities can support and enhance the quality of research and outreach. BTI encourages appropriate external activities that are consistent with its mission. BTI scientists and administrators may accept professional consulting assignments for a reasonable fee with universities, government agencies, and industry for up to two days per month during the regularly assigned work week. Consulting activities must not be in conflict with the purposes of BTI or the activities and responsibilities of the individual involved (see Section 711).

Prior to accepting consulting work, an individual should discuss the nature of the assignment initially with the supervisor, and then with the President. The individual must make his/her request in writing to the President. Consulting by technical and service staff members will be permitted only under specific circumstances. For additional information, please see the complete procedure on the BTI web site.

711 CONFLICT OF INTEREST

BTI requires scientists and administrators to disclose their consulting and other external commercial activities and to make an annual declaration of such activities. The major purpose of this disclosure is to enable the BTI President to determine if outside interests and activities are consistent with BTI's Policy on Conflicts of Interests. The principal concern is whether external interests can, or can be seen to, influence or compete with the exercise of a staff member's professional duties to the Institute. Thus, this annual disclosure form serves as an instrument to initiate a discussion that addresses potential conflicts of interest. The form balances institutional concerns for high standards of ethical behavior with a staff member's right to privacy. However, it is the responsibility of staff and staff officers to make a full disclosure. Where it is determined that there is a possible conflict of interest, action will be taken through the direction of the President.

BTI requires its President, as an employee and member of the staff, to make the same disclosure. The President's disclosure is made to the Chair of the BTI Board of Directors who is responsible for taking action where it is determined that there is a possible conflict of interest.

800 BTI RULES AND REGULATIONS

801 CODE OF CONDUCT

To assure orderly operations and provide the best possible work environment, BTI expects employees to follow rules of conduct that will protect the interests and safety of all employees and the Institute. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension or termination of employment.

- Theft or inappropriate removal or possession of property
- Falsification of company records, including but not limited to time records, lab notebooks, other business documents
- Working or operating Institute vehicles under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health regulations
- Smoking in Institute buildings or vehicles
- Sexual or other unlawful harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absence without notice
- Violation of Institute policies

Employment with the Institute is at the mutual consent of the employer and the employee, and either party may terminate that relationship at any time, with or without cause and with or without advance notice.

802 ALCOHOL AND DRUG USE

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. BTI maintains a drug-free workplace, in accordance with the Drug-Free Workplace Act of 1988. Failure to comply with this law could jeopardize receipt of government research funds. The unlawful manufacture, possession, distribution, transfer, purchase, sale, use, or being under the influence of illegal drugs while on Institute property, or while attending business-related activities, or while operating a vehicle owned by the Institute is strictly prohibited and may lead to disciplinary action, including suspension without pay or discharge. The consumption of alcohol at any personal, group, or BTI function within the building on Institute property must comply with BTI procedures. Likewise, being intoxicated at work as a result of excessive consumption of alcohol is strictly prohibited. The complete policy and procedure can be found on the BTI web site.

All employees must comply with this policy as a condition of employment. Should an employee be convicted of a drug-related crime that occurred in the workplace, he or she must notify the Institute within five days of the conviction. BTI is required to notify the appropriate government agency within ten days of the conviction. Appropriate personnel action, including possible discipline and/or participation in a

drug abuse assistance or rehabilitation program, may result after notice of the conviction is received. Employees may use physician-prescribed medications, provided that the use of such drugs does not adversely affect job performance or the safety of the employee or other individuals in the workplace.

When appropriate, BTI may refer the employee to approved counseling or rehabilitation programs. Employees who voluntarily admit to having drug or alcohol problems that have not resulted in disciplinary action may be eligible for unpaid time off to participate in a rehabilitation program. BTI recognizes that employees may wish to seek professional assistance in overcoming drug or alcohol problems. Initial assistance may be obtained through the Employee Assistance Program. Please contact Human Resources for more information about the benefits potentially available under the employee medical benefit plans and any possible referral sources.

803 SMOKING

In keeping with BTI's intent to provide a safe and healthy work environment, smoking is prohibited throughout the building and in any outbuilding or structure owned, operated or leased by the Institute, including Institute vehicles. This policy applies equally to all employees, customers, and visitors.

804 ATTENDANCE AND PUNCTUALITY

BTI expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the employer. When an employee cannot avoid being late to work or is unable to work as scheduled, he or she should notify the supervisor as soon as possible in advance of the anticipated tardiness or absence. It is expected that unplanned absences will not exceed 10 events per year. Excessive absenteeism or tardiness may lead to disciplinary action up to and including termination of employment.

805 SOLICITATION

In an effort to assure a productive and harmonious work environment, persons not employed by BTI may not solicit or distribute literature in the workplace at any time for any purpose. BTI approval of charitable or community group solicitations by staff members must be obtained from the President or Human Resources Director. In addition, the posting of written solicitations on most Institute bulletin boards is restricted.

BTI recognizes that employees may have interests in events and organizations outside the workplace. In response to this need, BTI has established an optional e-mail list that employees can subscribe to (btirec-1). This list and its contents are monitored by the Human Resources Director.

806 USE OF BTI COMPUTERS AND ELECTRONIC COMMUNICATIONS SYSTEMS

BTI maintains an internal electronic communications system and utilizes Cornell University systems. The purpose of all systems is to conduct business; personal use should be kept to an absolute minimum and done only during unpaid work hours. All messages, data and documents composed, sent, or received via the electronic communications systems are and remain the property of BTI. They are not the private property of any employee. Improper use of the electronic communication system is outlined in the Electronic Communications Policy.

Employees are obligated to use Institute computer hardware and software systems in a responsible and ethical manner. There should be no unauthorized access of computers or data belonging to other staff

members, or use of unlicensed software in Institute machines. In addition, permission should be obtained before borrowing or switching equipment.

Common computer facilities must be used in a responsible manner and any problems that occur during use should be reported to the computer support specialist.

807 DISCIPLINARY ACTION

BTI may use disciplinary actions to assist supervisors and staff members in resolving unsatisfactory job performance, misconduct, or behavior that violates Institute policies, procedures or practices. Disciplinary procedures will be administered consistently and in a manner that is intended to be corrective. This process is an important component of BTI's goal of maximizing and sustaining the performance of its employees, and in maintaining a safe and productive work environment.

Disciplinary actions are usually corrective and progressive in nature; however, serious misconduct and work performance problems, or violation of laws or BTI policies, procedures and practices, may warrant disciplinary action outside of this progressive approach including termination of employment.

There are three types of disciplinary action that may be taken: warning, suspension and/or termination. Supervisors must consult with Human Resources prior to taking any disciplinary action, in order to determine the most appropriate action. Originals of all disciplinary action reports should be given to Human Resources; copies are given to the employee and the original is maintained in the employee's personnel file.

808 EMPLOYEE GRIEVANCE PROCEDURE

This policy has been established by BTI to provide for fair and timely resolution of disputes that may arise in the work place and applies to all employees. The procedure is to be used for the purpose of reviewing disputes and other job-related issues that may include, but are not limited to, terms and conditions of employment such as wages, hours, discharges, safety issues, rights of employees and supervisors, and anti-discrimination or harassment policies.

Employees may not be discriminated against for using any portion of this grievance procedure. The use of this procedure is a right. Discrimination resulting from use of this procedure is unacceptable conduct and will not be tolerated.

If you are unclear about any portion of the Grievance Procedure, the Director of Human Resources is available to answer questions.

Informal Procedure:

Employees are encouraged to resolve issues informally before resorting to the formal procedure. Both employees and supervisors are encouraged to communicate openly and on a regular basis. It is best to bring the issue(s) to the attention of those involved within a short time of the occurrence. Timeliness is very important in order to maintain a reasonable perspective and prevent unnecessary ill feelings from building.

The employee is encouraged to talk directly to the other party involved, but if that is difficult, then one may wish to enlist the assistance of the Director of Human Resources. If this is not successful, the employee should meet with the President.

If necessary, assistance is also available for BTI employees through the Employee Assistance Program (EAP). This free program provides crisis and non-crisis counseling and can assist the employee in understanding the nature of the issue and identifying ways to move toward seeking a resolution. To access EAP, call Family and Children's Services of Ithaca. (See Section 438 for more information about EAP.)

Formal Procedures:

Should all informal attempts fail to achieve resolution, the following steps are to be followed in a formal grievance procedure.

Phase I.

- A: The employee should put the grievance in writing and include:
1. A description of the grievance and a listing of the associated facts,
 2. If applicable, identification of the policy or rule which may have been violated,
 3. The resolution being sought.
- This written document should be signed and given to the Director of Human Resources.
- B: The Director of Human Resources, or another member of management, will conduct a thorough investigation, where it is necessary. This investigation will be completed in a timely fashion, generally, no more than 10 working days.
- C: The investigator will provide all parties and the President with a written statement describing the grievance and the resolution of the grievance within 5 working days of the completion of the investigation. Copies will be included in the personnel files of the parties involved in the grievance.

If a workable solution cannot be found through meetings with the Director of Human Resources, or if either party wishes to appeal the resolution, the process may proceed to Phase II.

Phase II.

- A: Either party may file a written appeal within 5 working days of receipt of the resolution from Phase I. This document is filed with the President and the Director of Human Resources.
- B: The President will schedule a meeting (or meetings) with all involved parties to be held within 15 working days of receipt of the written appeal. The President or a person designated by the President will chair the meeting.
- C: The Director of Human Resources will provide a written statement of the outcome of this meeting to all parties involved within five working days of the completion of the meeting(s). This decision is final and binding.

Employees are encouraged to represent themselves; however, at any step in the grievance procedure, the employee may choose to have another BTI employee represent them or simply to have that person present at all meetings. The employee's representative must not have a direct interest in the outcome of the resolution

The time limits established in this procedure have been set to facilitate rapid resolution of problems. However, it is recognized that travel and professional and personal obligations may affect an individual's

ability to meet a specific time limit. It is possible for either party to modify the time limits by a mutual written agreement, filed with the Director of Human Resources.

900 CORNELL CAMPUS SERVICES

As an affiliate of Cornell University, BTI employees are entitled to use facilities and participate in programs offered by the University to regular Cornell Staff. There are a wide variety of opportunities available through the University. An overview is presented below and specific information can be obtained by contacting the department or function directly.

Bus Service: The TCAT bus system services all of campus and the surrounding areas. Staff members may ride the bus on campus at no charge by displaying an ID card.

Training: Cornell Information Technologies (CIT) and the Cornell Human Resource Department present numerous training sessions and seminars throughout the year. Many are free or require a modest fee. Topics covered include computer technologies, professional development and personal development.

Libraries: Employees may use and borrow books from all campus libraries. The University's library system, one of the most extensive in the nation, has over four million volumes. Other library services include listening rooms for records and tapes, and special collections. Your ID card, which must be recorded as a valid library card by taking it to Access Services at 101 Olin Library, serves as your personal library card and must be used when books are signed out.

Cultural Activities and Personal Enrichment: Events occur virtually every day of the week throughout the year at Cornell. Announcements of concerts, recitals, dance programs, theatrical productions, films, and lectures appear in the Cornell Chronicle and the Cornell Daily Sun, as well as on bulletin boards around campus. In addition to the various cultural activities, there are also many lectures, meetings, seminars, symposia, forums, and exhibits covering a wide variety of topics which are presented free of charge to the Cornell community.

Athletic Facilities and Wellness Programs: All employees are encouraged to take advantage of the many athletic facilities on campus. Use of these areas generally requires a valid ID card, some require either yearly or by-the-use fees. The Cornell Wellness Program is also open to BTI staff and information on the program can be obtained from the Wellness Program office.

Retail: The Campus Store is centrally located "underground" on the Cornell campus, across from Willard Straight Hall. In addition to a large selection of books, the Campus Store has stationery and supplies, and gift items. The Cornell Orchards are located on Route 366, across from the B parking lot. The Cornell Dairy Store, operated as part of the Department of Food Science's Dairy Plant, is located in Stocking Hall.

Parking and Transportation: All motor vehicles which will be operated or parked on campus, must be registered with Cornell's Office of Transportation. Parking on campus is by permit only, except in certain metered or time-zone areas. There are several permit categories which enable staff members to park on the central campus for an annual fee. Employees may use payroll deduction to pay for their parking permit.