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## **INTRODUCTION**

This handbook is a collective representation of Treasure Valley Community College's Board Policies, Administrative Regulations, and current practices as they relate to employees. These policies provide rules and regulations for all employees of Treasure Valley Community College (referred to as "TVCC" or "College") relative to matters of personnel administration. These rules and regulations are intended to set a general framework for effective personnel administration. The handbook is designed to inform everyone of the working guidelines for supervisory and staff personnel in the day-to-day administration of the College, to provide employees an understanding of what is expected of them, and to ensure consistent, fair and uniform treatment of College employees. "Employees" includes employees at the Ontario campus, Caldwell Center, outreach centers, and state and local districts who contract with the College to provide services.

These personnel policies can be modified, revoked or added to at any time at the sole discretion of Administration and/or Board of Education. No other personnel have the authority to alter these policies. Any revisions will substitute and replace prior policy or procedure statements. Unless otherwise stated, all employees will become subject to the new addition, deletion or changes regardless of date of hire. Neither the text of these policies, nor that of any policy or procedure statement of TVCC, is intended to be, nor should be construed as a contract of employment or as a contract guaranteeing continued employment or benefits.

Labor negotiations must and in every instance shall be approved by the Board before TVCC may be bound. If this handbook has been adopted by a union as supplemental to their collective bargaining agreement, then its use will pertain to issues of policy not otherwise covered in their agreement, and not employment relations (matters concerning direct or indirect monetary benefits, hours, vacation, sick, grievance procedures and other conditions of employment.)

Please read this handbook carefully and keep it for future reference. One of your first responsibilities as an employee is to become familiar with its contents and to review it with your supervisor or the Human Resources Department if you have any questions.

# **EMPLOYMENT**

## **ADMINISTRATIVE REGULATIONS and BOARD POLICIES**

Administrative Regulations and Board Policies are available on the TVCC Website ([www.tvcc.cc](http://www.tvcc.cc)), in the Business Office, and in the Human Resources Office. Some policies and procedures in this handbook will reference the complete and applicable Regulation or Policy by number (ex: BP 401-2).

## **ATTENDANCE and PUNCTUALITY**

Attendance and punctuality are requirements of the job. Poor attendance and/or excessive tardiness is disruptive; either may be grounds for discipline, up to and including termination. Absenteeism and tardiness place a burden on other employees and on the operations of the College. If the employee cannot avoid being late or is unable to work as scheduled, he/she should immediately notify his/her supervisor. Lack of notification may result in the employee not being able to use paid leave for the absence. Leave Request forms must be completed each time an employee uses paid or unpaid leave.

## **CAMPUS CLOSURE**

Classes will be held except under extremely adverse weather conditions or a high level of threat. *Only the President or designee may close the college. Departments may not cease operations and send employees home with pay due to inclement weather or other emergency unless the President or designee has closed the college.* With all decisions, the TVCC switchboard message will be immediately updated, a message will be put on the TVCC website, a campus-wide email will be sent, and local media outlets (Channel 7 KTVB, Channel 6 KIVI, Channel 2 KBCI, or listen to KSRV 1380 AM) will be notified.

## **COST CONSCIOUSNESS**

Every employee is expected to practice economy in all College duties. Failure to do so is not in the best interest of the College and may lead to discipline.

Public resources may not be used for personal gain per state ethics laws. All College employees must avoid financial or personal gain through use of their position (example: using work related frequent flier miles for a personal trip or other such incentives).

## **DRESS CODE**

Each employee is expected to show good taste and good judgment in personal attire and present a proper, professional appearance in the workplace or while conducting College business off-site. The supervisor may establish a reasonable dress code within his/her department.

## **EMPLOYEES ACCEPTING GIFTS (BP 401-10; BP 402-3)**

Employees shall not accept personal gifts that exceed a value of \$50 in a calendar year from students, vendors or other interested persons when such gifts reasonably have the appearance of impropriety.

## **POLITICAL ACTIVITIES (BP 401-6)**

The Board encourages participation by TVCC employees in various community and public affairs. Employees that engage in political activity may do so except to the extent prohibited by state law and when on the job during working hours. Specifically, employees shall not solicit any money, influence, service or other thing of value or otherwise aid or promote any political committee or aid, promote or oppose the nomination or election of a candidate, the adoption of a measure or the recall of a public officer while on the job during work hours. This policy does not restrict the right of employees to express personal political views.

## **FAMILY EMPLOYMENT (BP 401-13)**

One member of an immediate family may not exercise supervisory authority over another member of the same family. Any exception must be approved by the immediate supervisor, authorized by the President, and reported to the Board at the next regular meeting.

## **SECONDARY EMPLOYMENT (BP 401-7)**

Employees may hold jobs outside the College as long as they meet the performance standards of their job responsibilities. Full-time employees who instruct a class for additional pay must do so on the employee's own time or upon permission from the employee's supervisor. If the full-time employee instructs during his/her regular working hours, the employee will receive their regular pay and not additional monies for instructing from the College.

## **TRAVEL REIMBURSEMENT** (AR 400-12)

The College recognizes that it is desirable and sometimes necessary for employees to travel in connection with work. A line item for such travel is budgeted within each department's or program's annual budget. Employee travel expenses will be reimbursed in accordance with approved fiscal policies and procedures.

## **PHONE CALLS**

Personal phone calls should be limited during the work period. All employees are issued a long distance access code by the Business Office to be used when placing long distance, work related phone calls. This assures that charges will be billed to the correct department.

**CELL PHONES** (AR 300-23) – COLLEGE PAID. Some employees have College paid cell phones that are to be used primarily for college business with a nominal amount of personal use. Charges that cannot be documented as being related to college business will be billed back to the user.

**CELL PHONES** (AR 300-23) – EMPLOYEE PAID College employees using personal cell phones for college business where their use has been approved by the Executive Team will be reimbursed a maximum of \$20.00 per month.

Unless an employee has a college paid cell phone, all personal cell phones should be turned off, left on vibrate, or not brought into the workplace.

## **SERVICES**

**BOOKSTORE.** Books, supplies, and sundries may be purchased at the TVCC Bookstore located next to the Student Services Center in the back of the Cultural Center. TVCC employees receive a 10% discount on all Bookstore items and payment for purchases may be arranged through payroll deduction.

**FOOD SERVICE.** The campus food service is located in the Weese Building and a bistro is located in Barber Hall. Both are open to all students and staff.

**CHILD CARE.** Child care is available to students and employees in the Albertsons' Center during the academic year. For more information on rates and hours, please call extension 317.

**COPY MACHINES.** Employees will be given a personal access code by the Print Shop to use campus copiers. These codes are used to determine the appropriate department for billing of paper and copier use; do not share the access code with other employees. Copy machines are not for personal use; personal copy or print jobs can be done at the employee's expense through the Print Shop.

**EVENT PASSES** (AR 400-26). Complimentary passes are provided to faculty and staff for the purpose of attending regularly scheduled college events, including performing arts productions, rodeo, athletic games and usage of general gym facilities, and activities sponsored by Student Programs.

**KEYS** (AR 300-31). Keys are issued to individual employees through their department chair, director or supervisor. The physical plant department will not issue keys unless requested by a department, director or supervisor. Employees leaving employment must return keys to their supervisor or the physical plant department.

**LIBRARY.** The Library is located on the second floor of the Weese Building. Library cards are free to all College employees. The goal of the library is to support the curriculum, to aid in the professional development of the College staff, and to serve the cultural and recreational interests of area citizens. Library hours vary during the academic year and break periods.

**PARKING.** To insure the safety and accessibility of College facilities to the public, certain campus parking areas have been reserved for staff, visitors and handicapped parking; all other parking is open to students and the public. Employee parking passes are available from the Student Services Center.

**PRINT SHOP.** The Print Shop is located at the west end of the maintenance building. All printing services, with few exceptions, are charged back to the College department requesting the service. The print shop is also available for the personal use of College employees at the employee's own expense.

**TUITION WAIVERS** (BP 403-2; AR 400-13). Regular, full-time employees and retirees are eligible to receive one standard full tuition waiver at the Oregon rate for themselves or a qualifying family member each quarter. Regular part-time (0.5 FTE and greater) will receive a waiver on a pro-rated basis. Waivers do not include fees and materials. Please contact the Dean of Administrative Services for information or to

make a request for a waiver.

## **EMPLOYMENT STATUS and RECORDS**

### **HIRING PRACTICE** (AR 400-7)

All job vacancies for regular .5FTE or more positions will be posted on the College website for at least three days and be filled using the screening committee process. Some postings will be "internal" and only eligible employees may apply following the procedures as outlined in the job announcement.

### **EMPLOYEE GROUPS** (AR 400-1)

**FULL-TIME** employees are those regularly scheduled to work up to 1898 to 2080 annual hours (36.5-40 hours per week) and are eligible for the College's benefit package, subject to the terms and limitations of each program.

**PART-TIME** employees are those regularly scheduled to work up to 1872 annual hours (36 hours per week) and are eligible for the College's benefit package at a prorated level, subject to the terms and limitations of each program. Part-time employees fall into three categories:

1. Employees who work less than 1040 annual hours (19 hours per week or <.49FTE); no benefits.
2. Employees who work 1040 to 1560 annual hours (20-29 hours per week or .50-.74FTE); benefits are prorated at 50% and have employee-only health insurance.
3. Employees who work 1560 to 1872 annual hours (30-36 hours per week or .75-.90FTE); benefits are prorated at 75% and have employee-only health insurance.

**ADMINISTRATIVE** employees are regularly scheduled to work 40 or more hours per week, paid on a salary basis from a predetermined annual amount, and are exempt from minimum wage and overtime requirements. They are eligible for the College's benefit package, subject to the terms and limitations of each program. The College requires Administrative employees to use paid leave for absences due to vacation, illness, or personal reasons; the employee's salary will not be reduced for absences of less than a full day if the employee has no paid leave remaining.

Administrative employees are the President, Dean of Administrative Services, Dean of Instruction, and Dean of Student Services. Administrators provide administrative supervision and leadership within their specified areas of responsibility.

**CLASSIFIED** employees are "hourly" employees, subject to minimum wage and overtime requirements. All classified employees are required to submit a timesheet for all hours worked and to use available paid leave for eligible absences.

**FACULTY** employees are paid on a salary basis and are exempt from minimum wage and overtime requirements. Employees belong to one of two bargaining units, and follow policies per the collective bargaining agreement.

**TVEA:** All faculty employed more than fifty-five percent (55%) of a regular full-time academic year workload are members of the Treasure Valley Education Association (TVEA) collective bargaining unit which is affiliated with the Oregon Education Association. Monthly dues are paid. A copy of the current collective bargaining agreement is available through the TVEA Faculty President or Human Resources Office. Questions regarding union membership or benefits should be directed to the TVEA officers.

**AFSCME-SREA:** All faculty employed full-time to teach exclusively at the Snake River Correctional Institution work site are members of the Treasure Valley Community College Snake River Employees Association (SREA) collective bargaining unit which is affiliated with the American Federation of State, County, and Municipal Employees (AFSCME). Monthly dues are paid. A copy of the current collective bargaining agreement is available through the SREA Faculty President or Human Resources Office. Questions regarding union membership or benefits should be directed to the SREA officers.

**PROFESSIONAL** employees are paid on a salary basis from a predetermined annual amount, and can be exempt or non-exempt from minimum wage and overtime requirements. The College requires Professional employees to use paid leave of absences due to vacation, illness, or personal reasons; the exempt employee's salary will not be reduced for absences of less than a full day if the employee has no paid leave remaining. Non-exempt employees are required to submit a timesheet for all hours worked and to use available paid leave for eligible absences.

**ADJUNCT (PART-TIME INSTRUCTORS)** have term-by-term teaching assignments and do not meet membership requirements of existing bargaining units. Adjunct employees are also exempt from minimum wage and overtime requirements.

**TEMPORARY** employees are hired to work for a limited duration (special projects that last 6 months or less, workload, and emergencies) and are not eligible for most College benefits.

**VOLUNTEERS** are not employees of the College. The service of a volunteer may be discontinued at any time for any reason, and either party may end the arrangement at any time. Volunteers must abide by all rules, policies, and practices of the College. A College employee may volunteer as long as the volunteer hours worked *do not involve the same type of service/work* for which the person is employed by the College. Volunteers will sign a Volunteer Services Agreement and turn in a timesheet to the Business Office.

### **PROBATIONARY PERIOD** (BP 601-2)

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The College also uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the College may end the employment relationship at any time within the probationary period, with or without cause or advance notice, and without appeal.

All new and rehired employees have a probationary period of six months after their first day of hire or rehire. In cases of promotions or transfers, the probation period is six months unless otherwise specified. The College can extend the duration of the probationary period up to three months if it is determined that such an extension is appropriate. If the promotion or transfer is not successful, the employee may be allowed to return to their former or comparable job, depending on the availability of such position and the College's needs.

### **EVALUATIONS** (AR 400-14)

Employee performance evaluations are an essential communication process between the employee and their immediate supervisor. Such evaluations provide information relating to training needs, targeting the strengths and weaknesses of the employee's work performance, and measuring the relationship between goals and objectives and the employee's job performance. The purpose of the evaluation is to review with the employee how well they are performing their job and address any performance problems. It also serves as a basis of personnel decisions -- promotion, termination, and merit increases, if applicable. The full policy can be found online or contact Human Resources.

### **DRIVING RECORD** (BP 401-12)

All employees will have their driving record checked before driving a College vehicle or their own vehicle for College business. The College may also check their driving record at any other time. If the record indicates violations, the employee will not be allowed to drive for college business; or if driving is an essential function of the position, the employee may be subject to discipline, up to and including termination.

Employees who are or may be required to drive must possess a valid driver's license of the appropriate class for the type of driving required and must comply with any operator's license restriction. If an employee will be driving students or employees (example: coach driving a passenger van), they must be 25 years old and have a clean driving record; exceptions may be granted by the supervising Dean.

Employees who are required to drive shall notify the immediate supervisor of any change in license status and all traffic violations. Failure to report these to the immediate supervisor is viewed as a violation of College policy and thus subject to discipline.

### **PERSONNEL FILES** (BP 403-14)

Employees have the responsibility to immediately notify the Human Resources Office of a change in name, mailing address, telephone number, number of dependents, marital status, etc.

Official personnel files are maintained in the Human Resources Office. These files shall contain materials relevant to the employee's employment with the College, including but not limited to letters of intent, application materials, payroll changes and authorizations, evaluations, transcripts, contracts, commendations,

written discipline or other materials deemed appropriate by the College. Payroll information such as deductions, benefits costs and memberships are maintained in the Business Office. Medical records are maintained in the Human Resource Office but separate from the employee's personnel file. Materials that are obtained confidentially by the College during the employment process or any affirmative action investigation or discipline proceedings shall not be made part of the employee's official personnel file.

Nothing herein shall be construed to prevent or restrict administrators, immediate supervisors, or human resources personnel from maintaining working files which shall be deemed personal to the administrator, supervisor or human resource personnel as part of the work product. Materials developed for an employee's annual evaluation, such as goals, objectives, memorandums or letters to the employee will be shared with the employee, and when appropriate placed in the official personnel file.

The personnel files shall be open for inspection by the employee, the employee's immediate supervisor and/or Dean, College President, the College Attorney, and employees of the Human Resources department. The Employee may designate, in writing, other persons who may inspect the employee's personnel file. Inspections will take place in the Human Resources Office.

# **PAYROLL**

## **HOURS OF WORK**

The normal workweek is Sunday 12am to Saturday 11:59pm and consists of 40 hours. The hours of employment shall be fixed by the department supervisor and may vary by department. Exceptions to the established workday may be made at the discretion of the appropriate Dean.

Rest Periods. Hourly employees must take two 10-minute uninterrupted rest periods for every four hour portion of their shift; each scheduled at or near as feasible to the middle of each half shift. All employees are paid during rest periods and therefore, required to follow College policies during such rest periods.

Meal Break. Employees have an unpaid meal break of thirty minutes to one hour during each work shift of 6 hours or more. Consistent with operating requirements, meal breaks shall be scheduled at or about the middle of the work shift.

## **COMP TIME**

Some regular full-time Classified employees are eligible to use compensatory time ("comp time") in lieu of being paid wages for hours worked over 40 in a workweek. It is figured at one and one-half hours for each hour of overtime worked. The maximum number of hours that can be accrued is 120 hours of comp time, which represents 80 hours worked. If an employee works any additional overtime after 120 hours has been banked, the time will be paid in overtime wages. Employees should use comp time within 6 months of earning it, and it is required to be used before other paid leave. All remaining comp time will be paid out with June's paycheck.

## **TIMESHEETS**

Federal and state laws require the College to keep an accurate record of time worked in order to calculate the hourly employee's pay and benefits. Time worked is the time actually spent on the job performing assigned duties. Accurately recording time worked is the responsibility of every employee. Non-exempt employees should accurately record the time worked each day, not including the meal break and any departure from work for personal reasons. All hours worked should be recorded to the nearest quarter-hour. The supervisor must always approve overtime work **before** it is performed.

It is the employee's responsibility to sign their timesheets to certify the accuracy of the time recorded. Their supervisor will review and sign the timesheet before submitting it for payroll processing. In addition, the employee must initial any corrections or modifications to the timesheet.

Altering, falsifying, or tampering with timesheets, or recording time on another employee's timesheet may result in disciplinary action, up to and including termination.

## **PAYDAY**

Full-time employees are paid 173.33 hours each month (40 hours worked per week x 52 weeks per year = 2080 hours worked per year ÷ 12 pay periods). Part-time employees that are .75 FTE and .5 FTE who maintain a standard set of hours each week may be paid on a salary basis, computed as: .75 employees are paid 130 hours per month (30 hours worked per week x 52 weeks per year = 1560 hours worked per year ÷ 12 pay periods); and .5 employees are paid 86.67 hours per month (20 hours worked per week x 52 weeks per year = 1040 hours worked per year ÷ 12 pay periods).

Payday is normally the last Friday of each month, with exceptions typically due to holidays. The pay period end date for part-time employees and work authorization due date is two weeks before payday. A "Payroll Schedule" listing these dates is sent out each fiscal year by the Business Office. Due dates listed must be observed for contracts and work authorizations to be paid in that month's payroll.

Payroll checks may be personally picked up and signed for in the Business Office, or automatically deposited into the employee's requested bank account via automatic electronic payroll deposit. Checks that are not otherwise disbursed will be mailed to the employee's most recent mailing address the next business day.

## **PAYROLL DEDUCTIONS**

The law requires the College to make certain deductions from every employee's wages. Examples are federal and state withholding taxes, social security taxes, medical insurance contributions, court ordered garnishments, and retirement contributions (PERS).

Eligible employees may voluntarily authorize deductions from their wages to cover costs of programs and benefits offered beyond those required by law. Examples are charitable contributions, union dues, and flexible

spending accounts.

Questions regarding payroll deductions should be directed to the Business Office.

## **BENEFITS**

### **GROUP INSURANCE** (AR 400-19)

The College provides group health, dental, vision, life, long-term disability, and accidental death and dismemberment to eligible full-time employees and their eligible dependents subject to enrollment periods and procedures specified by the carrier and College. The College has the sole discretion to choose the insurance carrier or carriers. Employees working less than full-time but more than half-time are entitled to single coverage insurance benefits at a prorated level.

Premiums are subject to rate changes. Caps may be placed on the amount of premium the College pays and the remainder will have to be paid by the employee; caps may be adjusted annually.

Questions regarding insurance should be directed to Human Resources.

### **EMPLOYEE ASSISTANCE PROGRAM**

The College provides an employee assistance program through a local provider. This program provides three free counseling sessions on personal, work-related, or financial issues/concerns to full-time employees. Services are confidential and TVCC is not informed who is using the service. Sessions may be continued through medical insurance. Please contact Human Resources for more information.

### **HOLIDAYS** (BP 403-4)

The College recognizes the following ten holidays:

- New Years Day, January 1
- Martin Luther King, Jr.'s Birthday (3<sup>rd</sup> Monday in January)
- Washington's Birthday (3<sup>rd</sup> Monday in February)
- Memorial Day (last Monday in May)
- Independence Day, July 4
- Labor Day (1<sup>st</sup> Monday in September)
- Veterans Day, November 11
- Thanksgiving holiday (4<sup>th</sup> Thursday and Friday in November)
- Christmas Day, December 25

If the holiday falls on Saturday, the holiday is observed the preceding Friday. If the holiday falls on Sunday, the holiday is observed the following Monday.

These holidays shall be paid for all employees whose normal work schedule requires the employee to be on duty the day before or the day after such holiday, excluding weekends and unexcused absences. This policy does not apply to part-time or temporary employees. Faculty employees who are on summer, Christmas or spring break shall not be paid for the holidays occurring within the summer, Christmas, or spring break.

Employees who are off work on an unpaid leave of absence shall not receive holiday pay. Employees who are off work due to sickness or vacation shall be paid for the holiday in lieu of using paid leave. Holidays will not be counted as hours worked for the purposes of determining overtime.

### **PROFESSIONAL DEVELOPMENT FUNDS**

Application forms and information regarding professional development funds for non-Faculty staff are available at the Business Office.

### **RETIREMENT** (BP 403-9)

**OREGON PUBLIC SERVICE RETIREMENT PLAN (OPSRP).** An employee becomes an OPSRP member after completing a six-month waiting period working for the College in a position requiring at least 600 hours of work in a calendar year. Membership and 6% gross wage pre-tax contributions are mandatory for all qualifying employees.

For PERS Tier 1 or 2 members, the value of half of the employee's accumulated unused sick leave may be used in the calculation of the final average salary.

**403b TAX DEFERRED ANNUITY** allows employees to voluntarily set aside a pre-tax portion of their salary for retirement savings. Contributions may be started, stopped or changed at any time. Employees are responsible for completing all required forms from the approved vendor list provided by the Business Office.

Administrative staff are required to participate in this retirement plan.

Please check with the Business Office for more information on either of these retirement programs.

### **SICK LEAVE (BP 403-5)**

Sick leave will accrue at the rate of eight hours for each calendar month of active employment for eligible full-time employees, and is pro-rated for employees working more than half-time but less than full time. Unused sick leave may be accumulated without limit, but is not payable upon termination of employment. Sick leave shall not accrue during an unpaid leave of absence.

Sick leave is available for absences due to personal or immediate family injury, illness, doctor and dental appointments, quarantine, death in the immediate family (up to 6 days), and for qualifying state family leave (OFLA) absences. Any employee who is absent due to illness for more than two days may be required to furnish a physician's statement verifying the employee's illness. Immediate family is defined as: biological or step-parent, child, spouse or domestic partner, present mother-in-law or father-in-law, sister, brother, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandparent, grandchild or legal dependents who live in the employee's household. Employees are required to use the Leave Request form to request the use of Sick leave.

Sick leave cannot be used beyond the qualifying period for long-term disability insurance and cannot be used during any period which the employee is not on actively employed status. "Actively employed status" means the employee is not on disability (long-term or retirement) or an unpaid leave of absence.

If an employee comes to the College from another Oregon public school system, half of accrued sick leave, up to 75 days (600 hours), will be credited to the employee's sick leave account. The employee's former employer will be requested to furnish a letter certifying the number of sick leave days the employee has accrued.

Sick pay is intended solely to provide income protection in the event of illness or injury. An employee is prohibited to work elsewhere while on paid sick leave.

Sick leave will not be counted as hours worked for the purposes of determining overtime.

### **VACATION**

Vacation pay is available for eligible employees to provide opportunities for rest, relaxation, and personal pursuits. This policy does not apply to part-time or temporary employees.

Employees must request advance approval for vacation from their supervisor by completing the Leave Request form. The supervisor has discretion to approve or limit the vacation schedule based on workload and staffing requirements. Accrued but unused vacation hours will be paid upon termination of employment.

**ADMINISTRATIVE and PROFESSIONAL (BP 603-1).** Full-time employees receive 160 hours each fiscal year, July 1. Vacation hours will be pro-rated for employees working more than half-time but less than full time. Hours may be pro-rated based upon the employee's hire date or termination date. A maximum of 40 hours may be carried over each fiscal year; however, the remainder or unused portion will be lost on September 30.

**CLASSIFIED (BP 501-2).** The number of hours of vacation earned per month varies by the number of years of employment. Full-time employees earn 80 (years 1-4), 120 (years 5-9), or 160 (10+ years) hours, depending on date of hire. Vacation hours will be pro-rated for employees working more than half-time but less than full time. There is an accrual limit of 125% of the annual maximum; any employee with the maximum accrued vacation will forfeit vacation accruals in excess of the maximum.

**DONATION OF VACATION HOURS (BP 403-3).** This policy applies to recipient and donor employees who work half-time or more and have been employed with the College for more than 12 consecutive months. Fellow employees may donate their own accumulated vacation hours to an employee who has exhausted all vacation, sick and/or personal leave due to absences for his/her own health condition, injury or illness. The employee is not eligible for donation of leave if the absence qualifies under Worker's Compensation, PERS disability, or other disability benefits. A physician's statement may be required by Human Resources documenting the need for the absence. The donated hours cannot exceed the maximum number of hours allowed to accrue, and the donated hours cannot be those hours the employee is allowed to temporarily carry forward from a previous fiscal year. Human Resources will notify employees of the need for donated hours; the recipient's name will not be released by HR. Donated vacation leave will be paid at the recipient's rate of pay, not the donor's. The

College may count the donated vacation hours as time against the donee's annual FMLA and/or OFLA eligible leave. Paid leave will not accrue during the use of donated leave. Employees may apply for an unpaid leave of absence if the donated hours do not fulfill the entire absence. If the employee doesn't use the total donated hours, the balance is lost and not returned to the donors.

**WORKERS' COMPENSATION INSURANCE** (BP 402-2; AR 400-9)

The College provides a workers' compensation insurance program for its employees. This program covers any injury or illness sustained in the course of employment that requires medical treatment and/or the employee loses time away from work.

If an accident involves personal injury to an employee while on duty, regardless of how serious, the supervisor and Human Resources should be notified as soon as possible. Injury notification is necessary to comply with laws and assist in workers' compensation requirements. It is equally important that the employee's supervisor tell Human Resources that an injury has occurred. Injured workers who seek medical treatment or lose time from work must fill out a Worker's Compensation Report Form 801 and submit it within 5 work days to Human Resources. Employees who are injured or ill but do not seek medical treatment should complete the Incident/Accident Report and submit it to Human Resources. Human Resources will provide advice and assistance to any person filling out these forms.

On-the-job fatalities and catastrophes must be reported to OR-OSHA within eight hours. Report any accident that results in overnight hospitalization within 24 hours to OR-OSHA. Call (800) 922-2689, (503) 378-3272, or Oregon Emergency Response (800) 452-0311 on nights and weekends. Human Resources will notify the College's insurance carrier by phone. Human Resources will then process a workers' compensation claim form.

**WORKERS' COMPENSATION PAYMENTS.** If an employee receives compensation from the insurance carrier or any other form of public insurance benefits as a result of a work related injury or illness, the employee has the option of allowing the College to pay the difference between the insurance benefit and full pay by using the employee's sick leave accruals. If sick leave is exhausted, then vacation may be used. The employee must report to Human Resources the amount of the payment and the period that the payment represents.

**RETURN-TO-WORK POLICY.** The workers' compensation carrier has a return-to-work policy that allows modified work to be done by the injured employee during their healing process. The College works with the carrier to follow the proper procedures of reinstatement. The employee is responsible for immediately notifying Human Resources of their release to light or modified work, work restrictions, and doctor appointments. If an employee is offered a suitable position and refuses to accept it, the employee will be considered to have voluntarily terminated their employment and abandoned their right to reinstatement or reemployment.

**LIGHT DUTY WORK ASSIGNMENTS.** The College will decide if light duty or modified work is available. Disabled or restricted duty employees who are temporarily assigned light duty work as a reasonable accommodation but are unable to perform the essential duties of their job, may be required to provide a medical evaluation after 30 days from their treating physician. Human Resources will use this to determine whether the employee is capable at that time of performing the essential functions of the job, with or without reasonable accommodation. TVCC's workers' compensation carrier offers light duty accommodations only for those employees who are anticipated to recover the ability to perform all the essential functions of the job within a reasonable time. If recovery becomes doubtful, the administrative supervisor may discontinue the light duty assignment. No light duty assignment is intended to become permanent.

## **LEAVES OF ABSENCE**

### **BEREAVEMENT LEAVE** (BP 403-11)

Eligible employees will be granted up to three working days leave with pay in the event of a death in the immediate family. "Immediate family" includes parent, child, spouse or domestic partner, present mother-in-law or father-in-law, sister, brother, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandparent, grandchild, or legal dependents who live in the employee's household. Up to an additional six working days may be used when necessary for the purpose of travel connected with attendance at the funeral or making arrangements, which shall be deducted from the employee's sick leave.

Vacation leave may be used to cover non-eligible funerals or insufficient sick time as noted above.

Bereavement leave is pro-rated for employees working more than half-time but less than full time. This policy does not apply to part-time or temporary employees.

### **FAMILY MEDICAL LEAVE** (BP 403-10; AR 400-17)

The College will comply with all provisions of the federal Family and Medical Leave Act (FMLA), the Oregon Family Leave Act (OFLA), and other applicable provisions of Board Policy. An eligible employee may take unpaid, job protected state and/or federal family leave for up to 12 weeks in a 12 month period.

An employee is eligible for leave under federal law if employed by the College for the previous 12 months and have worked at least 1250 hours during those 12 months. An employee is eligible for leave under state law if employed in the last 180 calendar days for an average of 25 hours per week. For state parental leave, there is no average hour per week requirement. Federal and state leave entitlements generally run concurrently.

Leave may be granted for the: care of a serious health condition; pregnancy disability; sick child; parental bonding with child. The employee should complete a Leave Request as soon as the need is known, and notify the Director of Human Resources.

### **JURY DUTY** (BP 402-4)

Leave with pay will be granted for the time required for jury duty or for an appearance in court as a subpoenaed witness. Eligible employees are full-time and those working more than half-time but less than full time. Employees shall immediately inform their supervisor and complete a Leave Request form, and attach a copy of the subpoena. Compensation received for jury duty, excluding mileage, is to be reimbursed to the College. Employees are expected to return to work when not selected for jury duty or as a witness requires only part of a work day.

This policy does not apply to part-time or temporary employees.

### **MILITARY LEAVE** (BP 401-11)

The College will grant military leave to employees on duty with a uniformed service in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees requesting military leave are required to provide written notice to the Director of Human Resources as soon as practicable following notification of military call or reservist duty, unless precluded by military necessity.

### **PERSONAL LEAVE** (BP 603-2)

**ADMINISTRATIVE and PROFESSIONAL** employees receive 16 hours of personal leave each fiscal year; pro-rated for employees working more than half-time but less than full time. Hours may be pro-rated based upon the employee's hire date. Personal leave may be used for legal, business, educational, household or family matters, or emergencies that cannot be attended to during non-work hours. Personal leave may not be used for recreational events or vacation. Personal leave does not carry over, and is lost at the end of each fiscal year. Personal leave is not paid out upon termination of employment.

### **UNPAID LEAVE OF ABSENCE** (BP 403-7)

Employees with a minimum of three year's consecutive full-time service may be granted a leave of absence without pay for justifiable reasons such as illness or participation in constructive or educational activities and as determined and approved in writing by the administrative supervisor and President and Board of Education if Administrative staff. Leaves will not be approved for the purpose of accepting employment outside the College. Leave without pay may only be utilized once all accrued vacation, sick leave and/or personal leave is

exhausted. A Leave of Absence may be granted for up to 12 consecutive months. Failure to return for assignment at the expiration of a leave of absence shall voluntarily terminate the relationship between the employee and College. Nothing herein shall deny any employee an unpaid leave of absence pursuant to FMLA and/or OFLA.

The administrative supervisor has discretion to approve or limit the requested leave of absence based on workload and staffing requirements. Requests for such leave must be made using the Leave Request form and include a detailed explanation of the reason for the requested absence. Requests shall be submitted in sufficient time to allow reasonable time for review. A response to such a request will be given within 2 weeks.

During unpaid leaves of 30 days or more, the employee shall not accrue any benefits; however, arrangements may be made with the College for the employee to pay the full costs of group insurance benefits, if approved by insurance carrier. If the employee does not maintain insurance during the unpaid leave and returns to work, reinstatement of benefits will be governed by the terms of the insurance carrier policies.

This policy does not apply to part-time or temporary employees.

*View labor law posters or contact Human Resources for more information about leaves of absence.*

## **WORK CONDITIONS**

### **EQUAL OPPORTUNITY EMPLOYMENT (BP 401-2)**

The College is an equal opportunity entity; employment decisions are based on merit, qualifications, and abilities. TVCC, its employees and agents shall not discriminate or harass others in its employment, admissions, services, benefits, education and athletic practices or activities on the basis of race, religion, ethnicity, use of native language, color, sex, national origin, marital status, sexual orientation, age if the individual is 18 or older, physical or mental disability, veteran status (disabled or Vietnam era), height to weight ratio, organization or political affiliations.

**AMERICANS WITH DISABILITIES ACT (BP 401-4).** The College is committed to complying fully with the Americans with Disabilities Act of 1990 (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment activities and practices are conducted on a non-discriminatory basis. Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS (BP 405-3), often wish to continue working, to the extent allowed by their condition. The College supports these endeavors as long as employees are able to meet acceptable performance standards.

### **BLOODBORNE PATHOGENS (AR 300-27)**

Bloodborne pathogens are infectious materials in blood that can cause disease in humans, including hepatitis B and C and human immunodeficiency virus (HIV). Hepatitis B results in exposure to contaminated blood or body fluids and there is a vaccine; Hepatitis C results from blood-to-blood exposure and there is no vaccine. Employees exposed to these pathogens risk serious illness or death. The focus of the Bloodborne Pathogens Exposure Control Plan is to prevent or reduce the risk of on-the-job exposure to these pathogens. The Bloodborne Pathogens Exposure Control Plan is available from the Human Resources Office, Safety Committee, Director of Physical Plant/Security or online at [my.tvcc.cc](http://my.tvcc.cc).

All new employees at TVCC must complete the required bloodborne pathogens training. This training is available via taped media or by reading a brochure. A record of training will be filed in the employee's personnel file or in a general training file. Refresher training will be offered.

Employees who are required to have the hepatitis B vaccination as part of their employment are employed in the following departments: Applied Health Clinical and Laboratory Instructors (Nursing, CNA/Pre-Med, EMT trainers); Science; Law Enforcement/Corrections; Health/Physical Ed Instructors; Athletic Trainers and Coaches; Custodians; and Childcare.

### **DRUGS and ALCOHOL (BP 405-2)**

The College has a responsibility to its employees and students to ensure a safe and productive work environment unimpaired by chemical substance use and abuse. The College shall make a good faith effort to maintain a drug and alcohol free work and educational environment by conducting random and/or reasonable suspicion drug testing. This policy will be enforced and administered with the advice and consent of the Director of Human Resources and the appropriate Dean. This policy applies to all College employees (faculty and staff) while at the workplace. Certain positions (Bus Driver) may be subject to federal Department of Transportation rules and regulations.

### **DEFINITIONS**

"Workplace" means the site for the performance of work done for the College, including any building used by the College, any College owned or used vehicle, and any non-College property used for College sponsored or approved activity, event or function.

"Drugs" are defined as any illegal drug, hallucinogenic drug, prescription drug in possession of an individual without a valid prescription, narcotic drug, amphetamine, barbiturate, marijuana, or any other controlled substances.

"Alcohol" means any form of alcohol for consumption, including beer, wine, wine coolers, and liquor.

"Over-the-counter (OTC) drugs" means drugs that are generally available without a prescription and are limited to those which are capable of impairing the judgment of the user to safely perform work duties. Some cold medications meet this definition.

"Random" is defined as the procedure for selecting employees for drug testing. A set percentage or number of employees may be randomly chosen by a qualified third party.

"Reasonable suspicion" means specific expressed observations by a supervisory employee concerning the work performance, appearance (including noticeable odor of alcohol or drug), behavior, or speech of the employee. Any accident or incident involving physical injury to any person may be considered as constituting

reasonable suspicion for discovery testing for drugs and alcohol where human factors contribute to the incident and a question of sobriety short of reasonable suspicion exists. Reasonable suspicion testing may be based upon, among other things:

1. Observable phenomena, such as direct observation of drug use or possession and/or the physical symptoms of being under the influence of a drug;
2. A pattern of abnormal conduct or erratic behavior;
3. Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking;
4. Information provided either by reliable and credible sources or independently corroborated;
5. Employee's voluntary admission of use; and
6. Newly discovered evidence that the employee has tampered with a previous drug test.

Although reasonable suspicion testing does not require certainty, mere "hunches" are not sufficient to meet this standard.

"Under the influence" means any detectable level of drugs and/or alcohol in excess of trace amounts attributed to secondary exposure in the employee's blood or urine, or any noticeable or perceptible impairment of the employee's mental or physical faculties.

### **POLICY**

The College prohibits the unlawful manufacture, distribution, dispensation, possession or use of alcohol or illegal drugs in the workplace. Violations of this policy may lead to required participation in a substance abuse program and disciplinary action, up to and including termination. Such violations may also have legal consequences. Alcohol may be consumed on campus only upon the prior written consent of the President.

### **TESTING PROCEDURE**

**Employee Representative.** When the employee is notified that they are required to consent and submit to drug testing or search, they may request the presence of a representative to witness the test. The test may not be delayed unreasonably in order to wait for a representative. The absence of a representative shall not be grounds for the employee to refuse to consent and submit to such tests or searches. The presence of a representative shall not disrupt or interfere with the tests or searches.

**Authorization to Test.** Before a supervisor may require an employee to consent and submit to any test, the supervisor must first obtain agreement from Human Resources or the College President that the information available to the College is sufficient to determine reasonable suspicion.

**Procedure for Consent.** The employee shall give consent to a breathalyzer, urinalysis, or blood test, or any combination, through receipt and signature of the acknowledgement page of this handbook.

**Confirmatory Test.** In the event that the test results are positive for drugs and/or alcohol, the College shall require that a certified laboratory conduct a second confirmatory test from the same sample. This confirmatory test must also be positive before concluding the employee has such substance(s) present in the body.

**Employee Requested Test.** If a test is positive, the College will instruct the laboratory to retain the test sample for a period of not less than thirty calendar days from the date the tests are complete for the purposes of allowing the employee to conduct an independent test at his or her own expense at a laboratory approved by the College.

**Notification.** The employee shall be notified of the results of all tests conducted. Employees who test positive shall be afforded an opportunity to provide medical or other information that may explain the positive test result. If a question exists, a licensed physician will review the available information.

### **ACTION**

An employee who violates this policy may be asked to participate in a drug and/or alcohol abuse assistance or rehabilitation program through the Employee Assistance Program (EAP) at his/her own expense as approved by the Director of Human Resources, and/or may be subject to disciplinary action, up to and including termination. Paid leave will not be available. If the employee fails to satisfactorily participate and/or complete the program, the employee may be subject to discipline, suspension, and/or termination.

Any employee who voluntarily requests assistance (counseling and/or rehabilitation) in dealing with a drug and/or alcohol problem may do so through a private treatment program through the EAP. If an employee seeks treatment voluntarily and not under adverse employment circumstances, accrued sick or vacation may be used while attending the program. After such accommodation, the discontinuation of any involvement with drugs and/or alcohol may be an essential requisite for employment and is consistent with the College's policy of maintaining a drug free workplace.

When an employee is required to undergo treatment, they may be required to authorize the following as a condition of continued employment:

- Monitoring by Human Resources of the employee's participation in the treatment program; and
- Submission to random blood and/or urine screening for drugs and/or alcohol for a specific period of time not to exceed sixty months.

When an employee voluntarily enters a treatment program that is not associated with College intervention, testing and monitoring by the College will not be required.

#### **PERMITTED USE**

It is the employee's responsibility to determine whether or not a prescribed or over-the-counter drug can impair their job performance, and take appropriate action by using paid leave and/or notifying their supervisor of not being able to work in order to avoid endangering themselves or others. An employee who reports to work under the influence of medication and endangers themselves or others may be disciplined, up to and including termination. Any failure to report the use of prescribed medication following an event, or failure to provide evidence of medical authorization, can result in disciplinary action, up to and including termination.

#### **REPORTS OF DRUG CONVICTION**

Each employee must report facts and circumstances to the Director of Human Resources no later than five days after conviction for violating any criminal drug statute.

#### **EMPLOYEE EDUCATION**

The College will offer occasional trainings regarding substance abuse. Any employee may seek advice, information and assistance voluntarily from the EAP or Human Resources.

#### **HARASSMENT** (BP 401-3, AR 901-9) *not approved by governance process yet*

Sexual harassment and discriminatory behavior is illegal, prohibited, and will not be tolerated within the Treasure Valley Community College District. Any person who believes he or she has been discriminated against or harassed by a TVCC employee, representative, agent, or student should file a complaint with the supervising Dean and the Director of Human Resources. [If complaint is toward a faculty member, notify the Dean of Instruction; if the complaint is toward student, notify the Dean of Students; if the complaint involves any other staff or person, notify the Dean of Administrative Services.] The "District" includes TVCC facilities, premises and non-TVCC premises if the employee or student is at any TVCC sponsored, TVCC approved or TVCC related activity or function, such as field trips or athletic events.

Discrimination and conduct that will not be tolerated can include harassing, coercive, or disruptive behavior; actions, jokes, words, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic; and unsolicited remarks, gestures or physical contact and display or circulation of derogatory written materials or pictures regarding gender, racial, ethnic or religious groups.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. submission to the conduct or communication is made a term or condition of employment or education;
2. submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment and assignment or educational decisions of a student;
3. the conduct or communication has the purpose or effect of substantially interfering with the employee's ability to perform the job;
4. the conduct or communication has the effect of creating an intimidating, hostile or offensive work or educational environment (may be direct or indirect involvement); or
5. the conduct has the purpose or effect of demanding sexual favors in exchange for benefits.

Sexual harassment as set forth above may include, but is not limited to: verbal or written harassment; pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications; unwelcome touching; or suggesting or demeaning sexual involvement, accompanied by implied or explicit threat's concerning one's evaluations, job assignments, etc.

This policy will be enforced and administered by the Director of Human Resources. As the Affirmative Action Officer, the Director of Human Resources will oversee the process; as well as all initial discrimination and/or harassment complaints should filter through the Human Resources office.

## **REPORTING PROCEDURE**

Any person who feels harassed or is aware of harassment of another person is urged to report this to their supervising Dean or Director of Human Resources. The report may be informal (verbal) or formal (written); a formal report may be filed as a grievance under a labor agreement. If a supervisor or Dean becomes aware of allegations of harassment, they will make a written record of the allegations and immediately notify the Director of Human Resources. All reports or allegations will be given to the Director of Human Resources. If the allegation is against the College President, then written reports will be forwarded to the Board Chair, who may delegate the matter to the college's legal counsel.

## **INVESTIGATION**

The first step will be for the Director of Human Resources to inquire of the complainant as to whether the record (formal report) includes all allegations of harassment/discrimination. The investigation will then be conducted promptly by Human Resources on a priority basis and be kept confidential to the extent possible.

The investigator will notify the person reported to have harassed of the allegations and afford the person an opportunity to reply verbally or in writing. The employee or student shall be advised that any retaliatory conduct will be subject to disciplinary action regardless of the validity of the allegations.

A written finding shall state that there is or is not reasonable cause for disciplinary action. An employee whose behavior is found to be in violation of this policy shall be subject to discipline, up to and including termination; students shall be subject to discipline up to and including expulsion. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the President or Board. TVCC may report individuals in violation of this policy to law enforcement officials.

If the complainant does not find the complaint satisfactorily resolved, then the employee may appeal through legal channels.

All employees and students are subject to this policy.

## **DOCUMENTATION**

All documentation relating to the investigation may be retained in the employee's personnel file or the student's education record.

## **PROGRESSIVE DISCIPLINE**

Discipline is important because it helps employees understand TVCC's rules, requirements, and expectations, and helps shape employee performance. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future. Progressive discipline means that with most disciplinary problems and repeated offenses, steps will normally be followed to correct the problem. Progressive discipline for misconduct includes:

- Counseling or education;
- Verbal warning;
- Written warning;
- Suspension;
- Demotion;
- Termination.

There may be circumstances when one or more steps are bypassed - certain types of employee problems (harassment, violence, illegal conduct) are serious enough to justify suspension or termination of employment without going through the usual progressive discipline steps. The Director of Human Resources should be consulted throughout the disciplinary process.

**PROCEDURE.** For serious violations or repetitive lesser violations where action has been unsuccessful, formal action may be taken in the form of suspension with or without pay, demotion, and/or termination of employment as determined by the supervising Dean or President.

1. If a supervisor has determined that an employee is in need of formal discipline, then a written report of the investigation, which will include the alleged violation(s), the specific facts, witness statements, the employee's statement, and the recommendation for specific discipline(s), will be forwarded to the Director of Human Resources and the supervising Dean or President.

2. If the Dean or President determines that there is cause for possible termination, the employee will be notified in writing (notice of intent to discipline) of the specific reasons and that suspension and/or termination is being considered. This notice will contain the following:
  - a) A statement which clearly defines the specific action to be taken, and the effective date of the action. In cases of suspension, the beginning and ending time should be stated specifically. Generally, the disciplinary action shall become effective after the employee has been allowed the three days to appeal the action to the President.
  - b) A statement of the policy or procedure that has allegedly been violated or other cause or reason for the disciplinary action.
  - c) A statement of the specific action or charges which allegedly constitutes a violation of the policy or procedure.
  - d) A description of the records and documents upon which the action is based and a statement that copies of the records are available to the employee upon request.
  - e) A statement that the employee may request a meeting with the President within 5 work days of receiving the notice to discuss why the action is not warranted.
  - f) A statement that failure to request a meeting with the President or to show for the requested meeting shall forfeit any additional appeal rights.
3. The employee may request a meeting with the President within 5 work days of receiving the notice to refute the charges and present specific evidence as to why the action is unwarranted. Only non-probationary employees have a right to appeal disciplinary actions.
4. If the employee has requested a meeting with the President, the President will hold the meeting promptly; consider the employee's evidence submitted; notify the employee in writing of the decision to impose or modify the disciplinary action; and forward a copy of the proceedings to the Dean.

The employee's failure to request a meeting or show up for the meeting with the President will forfeit any additional appeal rights.

### ***ELECTRONIC INFORMATION RESOURCES (BP 401-5; AR 300-13)***

The electronic information resources (e-mail, internet, computers) at TVCC are to be used in a manner that supports the educational mission of the College. TVCC, by mission and policy, encourages learning, research, creativity, teaching and the free exchange of ideas in a climate of openness and sharing. Electronic information technologies are an important tool in this effort. Please contact Information Support Services or view online at [www.tvcc.cc](http://www.tvcc.cc) - Technology Services – Appropriate Use Policy for more information.

### ***EMERGENCY RESPONSE PLAN***

An Emergency Response Plan binder has been created to provide an organizational and procedural framework for the management of emergency situations. Emergency Action Procedures cards are posted in every building and classroom. Please contact the Director of Physical Plant for more information.

### ***SAFETY COMMITTEE***

Oregon Occupational Safety and Health Division (OR-OSHA) has adopted rules that require the College to establish and administer a Safety Committee. The safety committee meets to review and recommend appropriate action to resolve or prevent safety issues. The safety committee shall be made up of an equal number of employee and management representatives; employee representatives shall always be a majority over management representatives when a vote is taken regarding a recommendation to be made to the College.

The Safety Committee will meet monthly to perform its duties and functions.

1. Committee meetings will be held on the last Wednesday of each month during the academic year.
2. A written agenda for the meeting will be prepared; the format will be to a) review minutes from the previous meeting; b) discuss old business; and c) discuss new business.
3. Written records or minutes shall be made of each meeting. All reports, evaluations, and recommendations of the Safety Committee shall be made a part of the minutes. Minutes of Safety Committee meetings shall be made available to all employees and retained for 3 years.

### ***SMOKING (BP 405-1)***

TVCC is committed to providing a safe and healthy environment for its employees, students, vendors, and visitors. College policy and Oregon law prohibit smoking in any College building and vehicles, with the exception of designated smoking areas.

***STUDENT GRIEVANCE PROCEDURE (BP 901-4)***

Students have the right to grieve unfair and/or improper behavior by a member of the College staff. For complete information regarding the College Grievance Procedure for Students, please see AR 901-9 in the Associated Student Government office or go online at [www.tvcc.cc](http://www.tvcc.cc) – Student Life.

***STUDENT RIGHT TO PRIVACY (BP 903-1)***

TVCC abides by the Family Education Rights and Privacy Act of 1974 (FERPA). This act was designated to protect the privacy of education records; it establishes the right of students to inspect their educational records and provides guidelines for correcting inaccurate or misleading data. The policy is available in the Student Services Center. Educational records may be released to parents under the following circumstances: (1) through written consent of the student, and/or (2) in compliance with a subpoena.

## **LEAVING EMPLOYMENT**

### **CONTINUED MEDICAL COVERAGE**

The federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) permits continuous coverage to employees and qualified dependents who lose health, dental, or vision coverage due to termination of employment or reduction in employee work hours. The employee or dependent pays the full cost of coverage. The Business Office provides each eligible employee with a written notice describing the employee's rights granted and obligations under COBRA.

### **TERMINATION OF EMPLOYMENT**

**"TERMINATION"** of employment is initiated by the College. This can occur during the employee's probationary period or as an action to discipline the employee. Notice of intent not to renew an Administrator's (Dean's) contract must be done by the President no later than 6 months prior to non-renewal; a Professional employee's contract no later than 3 months.

**"RESIGNATION"** is voluntary termination of employment initiated by the employee, and includes abandonment of a position. Although advance notice is not required, the College requests at least two weeks' written notice and 30 days notice from Professional staff. Administrative staff (Deans) must give 90 days' written notice to the President of intent to terminate their contract.

Group insurance benefits will be terminated at the end of the month in which termination is effective unless continuous coverage is requested under COBRA.

**"LAYOFF"** is the involuntary termination of employment by the College due to budgetary restrictions, consolidating of departments and/or programs, and/or positions being eliminated. Layoffs typically are implemented College-wide, in one or more departments, work groups, or job classifications. In lieu of layoffs, the College may reduce the hours worked by personnel or require leaves of absence without pay for a specified period of time.

**"RETIREMENT"** is voluntary termination of employment initiated by the employee for meeting age, length of service, or other criteria.

### **FINAL PAY**

The Director of Human Resources should be immediately notified when an employee gives notice of resignation or is being terminated.

An employee's final paycheck will include hours worked but not paid and accrued vacation, if applicable. The date the paycheck is available will follow state labor laws and depends on when the employee gave notice. All final paychecks will be paid by manual check.

An Employee Separation form and exit interview should be completed with the supervisor and employee before separation of employment. This presents an opportunity for both parties to discuss the reason for termination, continuation of benefits, and return of College-issued property.