

<b>Klamath Community College</b> Subject: <u>Human Resources</u> Policy #: <u>500.0000</u> Issue Date: <u>April 24, 2001</u> Revision Dates: <u>01/27/2004, 11/25/2003,</u> <u>11/23/2005; 11/28/2006, 05/26/2009,</u> <u>12/9/2009, Under Review 06/28/2011,</u> <u>3/12/12, 06/26/12, 09/23/14, 06/23/15,</u> <u>04/26/16, 04/24/18</u>
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**HUMAN RESOURCES**

**500.0000**

**EQUAL OPPORTUNITY**

**505.0100**

**POLICY**

It shall be the policy of the Klamath Community College District to affirm the right of all individuals to equal education, activities, facilities and employment without regard to age, sex, disability, national origin, race, marital status, religion, or sexual orientation in accordance with federal and state laws. Klamath Community College complies with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Inquiries or grievances concerning the application of these laws and regulations to the College may be directed to the College’s Director of Human Resources or to the Director, Office for Civil Rights, U.S. Department of Education, Washington, D.C. 20201.

**PURPOSE**

The purpose of this policy is to insure non-discrimination and compliance with applicable federal and state laws and regulations.

**IMPLEMENTATION**

Statement on Publications

505.0300

All appropriate publications will contain the following statement: Equal Opportunity Employer. However, in publications where feasible (in terms of time, space, and cost), the entire policy "Equal Opportunity" will be included to provide maximum distribution of the policy to interested persons.

Grievance Procedure

505.0400

A. Definitions

1. A “grievance” is a claim by an applicant, employee, or group of employees, of a violation of the Civil Rights Laws, Affirmative Action Policy, Sexual Harassment Policy, the improper implementation of Board policy, unfair treatment, or disciplinary action resulting in suspension or termination.
2. “Informal Grievance” is that stage of a grievance procedure involving the grievant and the person responsible for the alleged grievance.

3. "Formal Grievance" is that stage of a grievance proceeding other than informal grievance. Formal grievance proceeds with the giving of written notice as herein provided.
4. "Parties or persons directly involved" are the grievant, the person responsible for the alleged grievance, any other employee, including the President and the Board who has rendered prior decisions in processing the grievance.
5. "Day" as used herein refers to a working day.

B. Board Policies

The Board establishes that:

1. The grievant has the right to be assisted by counsel at all stages of the grievance procedure at the grievant's expense.
2. Management has the right to be assisted by counsel at all stages of the grievance procedure.
3. The grievant shall be allowed time away from his/her job without loss of pay when required to attend meetings with management for the purposes of adjusting the grievance under the procedures defined herein.
4. The grievant may withdraw his/her grievance at any time.
5. Time limits may be extended by mutual agreement. If either party fails to comply with the established time limits, the grievance shall be declared settled in favor of the other party.
6. There shall be no restraint, interference, discrimination, or reprisal against an employee who uses these procedures for resolving a grievance.
7. Employees will be free from retaliation as a result of filing for a grievance or participating in any manner in an investigation or processing of a grievance. No employee shall be discharged, suspended, demoted or subjected to other adverse personnel actions because he or she acted in good faith pursuant to this policy and as provided for under Federal and State Law.

C. Informal Grievance Procedure

1. The aggrieved party shall, within ten (10) working days of the occurrence or of the aggrieved party's first knowledge of the facts of the occurrence, attempt to resolve the grievance informally. Every attempt shall be made to resolve the grievance at the lowest level possible. The grievant and the person responsible for the alleged grievance shall meet to attempt to resolve the grievance on an informal basis. Another administrative level employee may be requested by mutual consent of the parties to assist in the resolution of the grievance at the informal level.
2. The grievant may invoke the formal grievance procedure if the grievance is not resolved during the informal process.

D. Formal Grievance Procedure

1. The grievant shall submit to his/her supervisor or to the Director of Human Resources a written complaint which shall specify the factual details of the violation and the remedy requested. This statement shall be the basis for any further formal consideration of the grievance and requested remedy and shall not

- be materially altered when presented for consideration at various steps in the grievance procedure unless new facts or evidence appear.
2. No grievance shall be heard unless it is submitted pursuant to 505.0400 within twenty (20) days of the grievant's knowledge of the incident giving rise thereto. If there is more than one grievant, each grievant must meet this time limit. Any grievant not meeting this time limit shall be dropped from the grievance.
  3. A meeting between the grievant and the supervisor or the Director of Human Resources shall occur within seven days of the written complaint. A meeting shall occur between the supervisor and the person responsible for the alleged grievance, who will be advised of the grievance and provided the opportunity to respond.
  4. The supervisor or Director of Human Resources shall issue a written decision within seven days of the meeting as to whether or not the facts support the grievant's complaint and the requested remedy and state the rationale for the decision to all parties involved.
  5. If the grievant is not satisfied with the written decision of the supervisor or Director of Human Resources, the grievant may, within seven days of the written decision, submit the grievance to the President.
    - a. Within seven days of receipt of the appeal, the President shall meet with the grievant and discuss the grievance. The grievant may present written or oral evidence in support of the written complaint. A written record shall be made of this meeting.
    - b. The person responsible for the alleged grievance will be afforded the opportunity to provide an oral or written response to the grievance. If an oral response is provided a formal record shall be made of this meeting.
    - c. Within seven days of the meeting, the President shall issue a written decision providing copies to the parties directly involved.
  6. If the grievant is not satisfied with the written decision of the President, the grievant may, within seven days of its receipt, submit the grievance to the College Board of Education.
    - a. Within fourteen days of receipt of the grievance, the Board shall meet with the grievant and may meet with the person responsible for the alleged grievance to discuss the grievance.
    - b. The person responsible for the alleged grievance will be afforded the opportunity to provide an oral or written response to the grievance.
    - c. The Board shall, within seven days of this meeting, issue a written decision providing copies to the parties directly involved. The decision of the Board shall be final except as allowed for under Federal and/or State Law.

### Harassment-Free Workplace

505.0500

Klamath Community College is committed to fair and impartial treatment of employees, job applicants, customers, vendors, contractors and agents. As such, we endeavor to maintain a discrimination and harassment-free work environment where people treat one another with respect. This means that Klamath Community College prohibits any form of discrimination or harassment based on race, color, religion, gender, age, handicap, national origin, marital status,

or other status protected by law. Employees are responsible for respecting the rights of co-workers and the public. An employee engaging in any acts or behavior of discrimination or harassment will be subject to corrective action, up to and including termination of employment. An employee who feels they have been discriminated against or harassed should immediately report the situation to your direct supervisor or the Director of Human Resources.

Harassment is defined as any unwelcome verbal, physical or visual conduct based on race, color, religion, gender, age, handicap, national origin, marital status, or other status protected by law or policy, when that conduct is made explicitly or implicitly a term or condition of employment or is used as a basis for employment decisions, or has the purpose or effect of unreasonably interfering with performance or creating an intimidating, offensive or hostile work environment. Verbal, physical or visual conduct of a racial, ethnic or other type which, in the employee's opinion, impairs his or her ability to perform the job also may constitute harassment. Examples of discrimination and harassment may include, but are not limited to:

- Physical conduct including unwelcome touching, standing too close, staring, or obscene, threatening or offensive gestures.
- Oral or written conduct including references to body parts, derogatory or demeaning comments, jokes or nicknames, personal question about an individual's sexual or religious activity, sexual innuendo, graphic or offensive remarks about race, gender, religion, age, ethnicity, marital status, unwelcome pressure for dates, or sexually suggestive sounds or motions.
- Visual or symbolic conduct including the display of pictures of nude, partially clothed or offensively dressed people, the display of offensive, threatening or demeaning drawings, cartoons or other graphics, offensive T-shirts, coffee mugs or other articles, or the use of College property or facilities to display, promote or degrade religious symbols, viewpoints, or beliefs.
- Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when such conduct is made explicitly or implicitly a term or condition of employment, or is used as a basis for employment decisions, or has the purpose or effect of unreasonably interfering with work performance or creating an otherwise offensive working environment.

Reports of harassment or discrimination will be investigated promptly and in a complete and impartial manner. Complaints will be kept confidential to the extent possible. Action taken by the College will reflect the severity of the problem, the offending employee's overall work record and full consideration of the circumstances surrounding the situation. When deemed appropriate, disciplinary action for employees who engage in unlawful discrimination or harassment shall follow policy 515.1550.

It is the responsibility of each principal administrative officer, dean, department head, and supervisor to assure a working environment free from discrimination and harassment.

The Director of Human Resources shall have the responsibility of administering this policy, and all questions pertaining to the policy regarding discrimination and harassment should be addressed to the Human Resources Office.

Family Education Rights and Privacy Act (FERPA)

505.0600

Employees are expected to manage student records in accordance with the Family Educational Rights and Privacy Act (FERPA) regulations.

To receive access to student records all employees must receive a copy of the *Guidelines for Implementation of the Family Educational Rights and Privacy Act* and remain current regarding any FERPA modifications. Any employee failing to provide necessary security of student records may be denied further access to student records until adequate security can be guaranteed, and/or be subject to disciplinary action as outlined in Board policy.

Each employee of the College shall annually receive a copy of the Family Education Rights and Privacy Act (FERPA). Each employee shall annually sign acknowledging receipt of said document and such acknowledgment shall be maintained in the employee's personnel file.

## **RECRUITMENT AND SELECTION**

**510.0000**

### **POLICY**

The college shall actively seek to employ the most qualified individuals available.

### **PURPOSE**

Institutional success is the result of talented staff at all levels acting to attain institutional goals. Continued success in maintaining high quality choices for both the selection and retention of College employees is essential for the continued success of the college.

### **IMPLEMENTATION**

#### Vacancies 510.0100

Announcements of vacancies shall be made with notifications, in accordance with the nondiscrimination policies.

#### U.S. Citizenship 510.0200

The College will hire only United States Citizens and aliens lawfully authorized to work in the United States. All new employees will be required to complete the designated employer's verification I-9 form.

#### Criteria for Selection 510.0300

The most suitably qualified candidates will fill positions after a full and fair search. Selection shall be based upon the merits of the candidates for the particular position. In considering ability to do the job, a review shall include, but not be limited to the work history, attendance record, educational background, and aptitudes of the candidates.

#### Background Check Prior to Selection 510.0310

Prior to offer of employment, a background check will be completed on position finalist. Human Resources or position Supervisor will contact current and/or former employers regarding the applicant's date of employment, job title and duties, job related skills, experience and performance, attendance, interpersonal relations, supervisory responsibilities, reason for leaving position and eligibility for rehire. Human Resources or position Supervisor will confirm educational qualifications by contacting institution conferring terminal degree or receipt of official institutional transcripts.

#### Transfer of Employees 510.0350

A transfer is a lateral or downward movement of an employee. Transfer of an employee to an open position does not require advertisement outside the College. Furthermore, the President may transfer a person to another position in the College if his/her position is being eliminated, provided that the person is qualified for and accepts the new position.

# ALL EMPLOYEES

515.0000

## POLICY

The Board herein defines Human Resources policies applicable to all employees. Under separate listing are policies applicable to unique classifications of employees.

## PURPOSE

It is the Board's intention to codify its policy framework for administrative decision making in reference to the College's employees. The organization of the sections applicable to various classifications of employees is intended to facilitate easy reference.

## IMPLEMENTATION

### Policy Manual

515.0100

Each regular employee of the College shall receive a copy of this Board Policy Manual and a copy of Klamath Community College's Guidebook for Success. Each employee shall sign, acknowledging receipt of said documents, and said acknowledgment shall be maintained in the employee's personnel file.

### Credentials

515.0200

The Human Resources Office is responsible for ensuring that all forms and documents, required of new employees, be executed and received prior to initial employment.

### Job Description

515.0350

The College shall provide each employee with a copy of a job description at the time of job entry. The employee shall perform the duties as listed in the job description.

Modifications to an employee's job description that do not change the job classification shall be made during performance appraisal by the employee's supervisor at the request of the employee and supervisor. (See 515.0360 A. for substantial modifications to job descriptions.)

### Classification System

515.0360

The College will maintain a position classification system. The College will conduct updates and surveys to maintain the integrity of this system.

#### A. Job Reevaluation

Employees and supervisors will have an opportunity to have their position/title reevaluated.

1. Requests for a job reevaluation will be submitted to the office of Human Resources.
2. Such requests may be initiated by the employee and/or employee's supervisor, and will be submitted in an approved format. Input from the employee, supervisor and/or department head will be sent to the President for evaluation and decision.
3. Each affected employee and supervisor will be furnished a copy of the decision of the President within 60 days of the initial request.
4. A copy of the request and the response of the President will be placed in the employee's personnel file.

## Employment

515.0365

### General Employment Policies and Procedures

- A. Application and related information may be obtained from Klamath Community College, 7390 South Sixth Street, Klamath Falls, Oregon 97603-7121. Telephone 541-882-3521.
- B. Official Klamath Community College applications must be completely filled out and clearly show that the applicant meets the minimum qualifications as set forth in the announcement. Completed application and related materials must be received by the closing deadline. Failure to submit all required application materials may result in the applicant not being considered for the position. Submission of these materials is the responsibility of the applicant. Klamath Community College does not contact Placement Offices. The college does not return application materials.
- C. The College reserves the right to re-advertise vacant positions, to indefinitely delay filling a position or withdraw a position.
- D. All applicant materials are subject to investigation and verification. False statements will be cause for disqualification from the application process, or termination of employment.
- E. Screening of applications will begin immediately after the closing deadline. Candidates selected for interview will be invited to the College.
- F. Finalists will be contacted by telephone to make interview arrangements. Those not selected for interview will be notified by mail.
- G. The College reserves the right to limit the number of interviews granted. Meeting the minimum qualifications for a position does not assure the applicant of an interview.
- H. The College will hire only United States Citizens and aliens lawfully authorized to work in the United States.
- I. The College maintains a file that will yield the demographic composition of applicant pool. A form will be provided in the application for this purpose. Completing and returning this form shall be voluntary.
- J. The policies of non-discrimination at KCC affirm the right of all individuals to equal education, activities, facilities, and employment without regard to age, disability, national origin, race, marital status, religion, and gender, in accordance with federal and state laws. Questions or concerns regarding this policy may be directed to the Human Resources Office, 7390 South Sixth Street, Klamath Falls, Oregon 97603-7121; telephone 541-8823521.

## Evaluation

515.0370

Each employee will receive an annual performance appraisal.

The written performance evaluation shall be reviewed and signed by the employee and the employee's supervisor. A copy will be provided to the employee and the original placed in the employee's personnel file.

## Probationary Period

515.0375

Each new employee shall be placed on initial probationary status for a six-month period beginning with the first full month of employment.

During the initial probationary period the employee may be terminated at any time, for any reason, at the discretion of the institution without recourse to the grievance procedure.



Work Schedule

515.0385

The established work week consists of forty hours and begins with Monday 12:00 am and ends with Sunday 11:59 pm.

Employees are required to contact their direct supervisor before or at the beginning of each scheduled work day if they are unable to report for work. Employees who are absent from work for three (3) consecutive working days or more without notice are deemed to have quit.

When an employee is absent without notice the supervisor must take immediate steps to contact the employee. If attempts to reach the employee are unsuccessful the supervisor must consult immediately with the Office of Human Resources to assure that all appropriate procedures are followed.

Rest and Meal Periods

515.0387

The working day for all employees will include one ten minute rest period during each four-hour period and an unpaid meal period of not less than one-half hour for each eight hours of work; or three ten minute rest periods and an unpaid meal period of not less than one-half hour for each ten hours of work or as provided for under State regulation.

Pay

515.0400

The Board is committed to paying rates of compensation that are internally equitable with relation to duties and responsibilities assigned.

- A. An employee classification system shall be developed and maintained and shall include minimum and maximum salaries for each classification of employee and for each position.
- B. Employees shall be paid within the classification and position range.
- C. The Board may adjust the classification ranges and/or authorize raises at its discretion.

Payday

515.0401

All employees of the College shall be paid on the last working day of each month.

Benefits

515.0440

The College shall provide all eligible employees with benefits as required by state and federal law and other benefits as approved by the Board of Education.

Retirement Plan

515.0460

- A. Employees who qualify will be retired according to state law and will participate in the various contributory retirement plans provided by the laws of the state of Oregon.
- B. The College shall participate in the Public Employee Retirement System (PERS) unused sick leave program as provided for under PERS rules and regulations.
- C. In the event optional retirement plans are allowed by the State, for qualified employees, Klamath Community College will allow individuals to use these systems as long as the result is revenue neutral to the College.

Payroll Deductions

515.0500

Mandatory deductions from salary payments are:

- A. Federal withholding tax as provided by law;
- B. State withholding tax as provided by law;

- C. Retirement program (as required by PERS);
- D. Social security as provided by law;
- E. Insurance costs not paid by the Board (approval requires signed approval of deductions); and,
- F. Garnishments as provided by law;

Optional deductions from salary payments are:

- A. Annuities that are requested by employees;
- B. Any payroll deductions that are given prior approval by the administration; and
- C. Loans/bills due the College.

Jury Duty 515.0650

An employee subpoenaed for jury duty, or subpoenaed as a witness in a court case, shall be excused from work without loss of pay, however, the amount of compensation received by the employee for such jury service, excluding compensation for travel and expenses, shall be signed over to the College.

Upon being excused from jury or court service on any day, an employee shall return to complete the remainder of the work day. An employee should notify his/her management supervisor as soon as possible after receiving notification or summons so that coverage may be arranged.

College Closure or Delayed Opening 515.0660

Closure of Klamath Community College due to inclement weather, or other environmental conditions is a decision based on concerns for the safety of employees, students and visitors.

There are three different decisions that may be made.

- A. *College Closure*, meaning classes and student activities are canceled, all College offices are closed, and employees are not expected to report for work; or
- B. *Classes Canceled*, meaning classes and student activities are canceled. College offices are open, and employees are expected to report to work as usual; or
- C. *Delayed Opening*, meaning the College will open later than the normal starting time.

When there is an authorized College closure, employees will be paid for the time off from scheduled work due to the closure. In cases where there is not an authorized College closure, employees who, due to hazardous weather conditions, are unable to report for work will not be paid for the time off, but may request to utilize unused vacation or personal leave for the time off.

Tenure 515.0700

The College does not grant Tenure.

Standards of Conduct 515.0800

College employees are expected to maintain a level of personal and professional behavior and dress consistent with their position in the College and the community.

Employees are expected to maintain a professional attitude toward students, colleagues, and the community.

## Code of Ethics

515.0900

No employee shall use or attempt to use his or her position to obtain financial gain or avoidance of financial detriment that would not otherwise be available but for the employee's holding of his or her position with Klamath Community College for herself or himself or his or her relative, or for any business with which the employee or her or his relative is associated, other than official salary, reimbursement of expenses or an unsolicited award for professional achievement.

## Consensual Relationships

515.0950

The College is committed to a learning environment that fosters respect, integrity, professional behavior, and fair and impartial treatment of students and staff. Marital, consensual sexual, or mutually-recognized romantic or dating relationships pose an apparent or actual conflict of interest if one of the parties in the relationship has responsibility for supervising, evaluating, directing, or overseeing the other, or has the power to directly influence the other person's educational or employment status. Such relationships can involve an abuse of power, unfair treatment, compromised judgment, or impaired objectivity that can affect both the parties to the relationship and the general college community.

These relationships have the potential to harm both the parties involved and others, and can disrupt teaching and working relationships through the actual or apparent unequal favor or advantage they confer. The conflict of interest these relationships pose can undermine both the integrity of the supervisory or evaluative relationship and the College's commitment to a positive educational/employment environment. If these relationships exist, the person in the position of greater authority or power will bear the primary burden of accountability in ensuring that the relationship is consensual, and that he or she exercises no supervisory or evaluative function over the other person in the relationship.

## Problems with "Consent"

All employees are cautioned that conflicts of interest and/or abuses of power can occur even when both parties have consented to the relationship. Circumstances may change, and behavior that was defined as consensual and welcome may later be characterized as unwelcome. Faculty and staff should be particularly aware of their professional obligations toward students, since power differentials present in these relationships make the student's apparent consent in the relationship highly suspect. Staff or students who experience unwelcome sexual or romantic relationships are referred to KCC's Harassment Policy.

## Relationships between Employees

Any employee (including student workers) who enters into or is in a marital, consensual sexual, or mutually-recognized romantic or dating relationship with another employee whom they supervise, evaluate, or have oversight responsibilities for, must immediately report this relationship to his/her supervisor or the Human Resources Department. In consultation with the supervisor and the Human Resources Department, a plan will be established that serves to remove the affected employee from any supervisory or evaluative function over the other party in the relationship. Where possible, the College will work with the employees concerned to assist in removing the potential conflict of interest through transferring or altering the supervisory or evaluative relationship.

The College recognizes that a consensual relationship may exist that pre-dates any supervisory assignment. In these cases, individuals shall not accept supervisory, oversight, or evaluative responsibilities over someone with whom they have a marital, consensual sexual or mutually-recognized romantic or dating relationship, unless effective steps have been taken and documented by the Human Resources Department to eliminate any conflict of interest.

Failure to comply with this step will be grounds for discipline, up to and including dismissal.

### Relationships Between Employees and Students

#### A. Faculty

No faculty member is permitted to initiate or acquiesce in a consensual sexual or mutually-recognized romantic or dating relationship with a student who is enrolled in a course being taught by the faculty member or whose academic work is supervised or evaluated by the faculty member. If these enrollment situations arise, faculty members must immediately report this relationship to his/her supervisor or the Human Resources Department and take steps to remove themselves from any academic or professional decision-making or evaluation concerning the student. If the faculty member cannot remove him/herself from academic or professional decision-making or evaluation of the student, then the faculty member must consult with his/her supervisor and the Human Resources Department to develop and document a plan to ensure that appropriate steps have been taken to comply with this policy.

Failure to comply with this step will be grounds for discipline, up to and including dismissal.

#### B. Other Staff

Similarly, staff, administrators and other college employees who have oversight or an advising relationship with a student should never initiate or acquiesce in a consensual sexual or mutually-recognized romantic or dating relationship with a student. If these relationships occur, the employee must immediately report this relationship to his/her supervisor or the Human Resources Department and take steps to remove themselves from any academic or professional decision-making or evaluation concerning the student. If the employee cannot remove him/herself from academic or professional decision-making or evaluation of the student, then the employee must consult with his/her supervisor and the Human Resources Department to develop and document a plan to ensure that appropriate steps have been taken to comply with this policy.

Failure to comply with this step will be grounds for discipline, up to and including dismissal.

The College recognizes that a consensual relationship may exist that pre-dates any KCC relationship. In these cases, individuals shall not accept oversight or evaluative or advising responsibilities over a student with whom they have a marital, consensual sexual or mutually-

recognized romantic or dating relationship, unless effective steps have been taken and documented by the Human Resources Department to eliminate any conflict of interest.

Ongoing Outside Employment 515.1000

Employees of the College may engage in outside employment or maintain an outside business venture only if it does not interfere with regular College duties or create a conflict of interest. Prior to commencing any employment or business venture involving substantial time, the individual concerned shall obtain the written approval of the President.

Political Activities/Controversial Issues 515.1100

The College adopts the following policy guidelines concerning the propriety of employee conduct within the institution and relating to dialogue of controversial issues:

- A. No employee may be involved in promoting or opposing any political committee or initiative referendum or recall petition, ballot or measure or candidate while on the job during working hours. College resources may not be devoted to such activities.
- B. Employees speak and write as citizens and should be free from institutional censorship or discipline. Employees should remember that the public might judge their professional and institutional activities by their personal statements. Therefore, employees should at all times be accurate, should show respect for the opinions of others, and should make every effort to indicate that they communicate as individual citizens, not as institutional spokespersons.

Personnel Records 515.1200

All official personnel files shall be kept and maintained by the Human Resources Office at the College. The College shall establish an official personnel file for each employee.

Confidentiality of the official personnel file shall be maintained at all times with access limited to the individual employee, his/her supervisor, administrators having employee evaluation responsibilities, the staff in the Human Resources Office, the President, or his/her designee, and the Board, or its designees. Requests for information other than employment information permitted by law to be released shall not be honored without written permission from the employee, except pursuant to court subpoena or other action authorizing its release.

All College employees shall provide the Human Resources Office with all necessary transcripts, letters of reference, resumes of work experience, teaching credentials, and other pertinent materials as may be required for maintaining a complete and current personnel file.

Resignation 515.1500

- A. To resign in good standing, an employee will provide appropriate written notice as defined in the applicable employee policy section.
- B. Written resignations shall be submitted to the employee's supervisor and forwarded through the Director of Human Resources to the President's Office.

Disciplinary Actions and Discharge 515.1550

- A. Employees can be disciplined or discharged for:
  - 1. An intentional failure to abide by lawful rules and regulations of the College or instructions given by his/her supervisor.
  - 2. Conviction of a state or federal crime.

3. Circumstances where continued employment would cause the College substantial loss of confidence by the citizens of the District.
  4. Failure to carry out duties at the appropriate level of quantity and quality as outlined in the position description or as required by the employee's supervisor.
  5. Willful insubordination or intentional improper interference with the administrative processes of the College.
  6. Circumstances where continued employment would present a clear danger to the safety or security of the employees, the public, or College property.
  7. Failure to meet the established standards of attendance, performance or conduct.
  8. Misrepresentation of data presented by employee for hiring purposes.
  9. Inappropriate use of College technology resources.
  10. Engaging in any acts or behavior of discrimination or harassment.
- B. The authorized disciplinary process for any of the above circumstances depending on the severity of the offense shall be verbal reprimand, written reprimand, suspension with or without pay, and termination.
- C. Verbal Reprimand or Warning  
A verbal reprimand or warning may benefit the employee and will sometimes be given spontaneously and under varying circumstances. There shall be no right of appeal and the individual giving the reprimand will send documentation (documented and labeled) of the reprimand to the Director of Human Resources.
- D. Written Reprimand or Warning  
A written reprimand or warning shall clearly be labeled as such and delivered to the employee who shall initial a copy to acknowledge receipt prior to its being placed in the employee's personnel file. The reprimanded employee may respond to the accusation in writing and a copy of the response will be placed in the employee's personnel file.
- E. Suspension  
A suspension with pay shall be effected by written notice to the employee specifying the reason for it and the beginning and ending dates.  
A suspension without pay shall be effected by written notice to the employee of such suspension, the reason for such, the beginning and ending dates and that the employee has the right to a hearing regarding the suspension without pay.
- F. Written Notice of Termination  
The employee shall be advised in writing of such discharge, the reason therefore, and that the employee has the right to a hearing regarding the termination.

Severance Pay 515.1570  
Severance pay is not provided

Acceptance of Gifts 515.1900  
No employee of the College shall accept gifts from any person, group, or entity currently conducting, or desiring to do, business with the College. All business-related gratuities are specifically prohibited, except items widely distributed of nominal value. The Dean for Administrative Services will approve all gifts made to the college and will send a receipt of acceptance, along with a tax identification number, to the gift giver.

Care and Use of College Property 515.2100  
An employee is expected to exercise due care in the use of College property and to utilize this property for authorized purposes. Negligence in the care and use of College property may be

considered cause for disciplinary action. College property is defined as all equipment, materials, facilities, or vehicles that are owned or leased by the College.

Unauthorized removal of College property from the premises, or unauthorized use of College property, is forbidden.

### Copyright Policy

515.2150

It is the intent of the Board to adhere to the provisions of the current copyright laws.

The Board recognizes that unlawful copying and use of copyrighted materials contribute to higher costs for materials, lessens the incentives for development of quality educational materials, and fosters an attitude of disrespect for law, which is in conflict with the educational goals of this post-secondary institution.

The Board directs that College employees adhere to all provisions of Title 17 of the United States Code, entitled "Copyrights", and other relative federal legislation and guidelines related to the duplication, retention, and use of copyrighted materials.

The Board further directs that:

- A. Unlawful copies of copyrighted materials may not be produced on College-owned equipment.
- B. Unlawful copies of copyrighted material may not be used with College owned equipment, within College-owned facilities, or at College sponsored functions.
- C. The legal and/or insurance protection of the College will not be extended to employees who unlawfully copy and use copyrighted materials.

Employees who make and/or use copies of copyrighted materials in their jobs are expected to be familiar with published provisions regarding fair use and public display, and are further expected to be able to provide their supervisor, upon request, the justification under Sections 107 or 110 of USC 17 for copies that have been made or used. Copies of appropriate sections of copyright laws shall be available from the Human Resources Office.

Employees who use copyrighted materials, which do not fall within fair use or public display guidelines, will be able to substantiate that the materials meet one of the following tests:

- A. The individual employee or the College has purchased the materials from an authorized vendor and a record of the purchase exists.
- B. The materials are copies covered by a licensing agreement between the copyright owner and the College or the individual employee.
- C. The materials are being reviewed or demonstrated by the user to reach a decision about possible future purchase or licensing and a valid agreement exists which allows for such use.

### Creative & Scholarly Work

515.2175

It is the intent of this policy that, when both the originator and the College expend resources, both the College and the originator shall share the direct benefits of such creative work. The actual proportion of benefits to be derived by each shall be considered on a case by case basis, taking into account the resources expended by each.

The originator of creative and scholarly work shall maintain all rights to his/her creative efforts when this work is done without expending any direct College resources.

The College shall maintain only those rights to creative and scholarly efforts of an individual for which the College has specifically contracted. In all other instances, the originator shall have all rights to said creative efforts.

In those cases where direct College expenses are incurred in the creation of such works, a contractual agreement between the originator and the President, or his/her designee, will set forth the rights of both the College and the originator prior to the beginning of such work.

Use of College resources for private endeavors, without prior written approval of the President is prohibited. Failure to comply with this rule shall be grounds for disciplinary action.

Health and Safety 515.2200

The College will provide appropriate health and safety plans, procedures and training through the Human Resources Office. Each employee shall comply with local, state, federal laws, as well as Klamath Community College Health and Safety procedures.

Integrated Pest Management (IPM) 515.2203

To ensure the health and safety concerns of students, faculty, staff, and community members, the College shall adopt an Integrated Pest Management Plan (IPM). The College shall designate the Lead Facilities Technician as the Integrated Pest Management Plan Coordinator and gives him the authority for overall implementation and evaluation of the IPM Plan.

Employee Accidents 515.2205

Whenever an accident involving an employee occurs, the employee shall inform their supervisor or designee immediately. The Human Resources office will furnish the accident report forms that must be filed with the insurance company. Accident reports are to be completed by the supervisor and the employee and returned to the Human Resources Office within three (3) days.

Serious Infectious Illnesses 515.2250

The College shall provide written procedures regarding blood borne pathogens to all employees and provide training on blood borne pathogens to employees who may be required to come in contact with bodily fluids.

Employees with serious infectious illnesses may continue in their employment, to the extent allowed by their condition and appropriate medical clearance as long as they are able to meet acceptable performance standards. As in the case of other disabilities, Klamath Community College will make reasonable accommodations in accordance with legal requirements, to allow qualified employees with serious infectious illnesses to perform the essential functions of their positions.

Medical information on individual employees is treated with total confidentiality. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination.



Employees with questions or concerns regarding serious infectious illnesses are encouraged to contact the Human Resources Office for information and referral to appropriate services and resources.

### Student Illness or Accident

515.2270

The College does not maintain first aid facilities on campus. In the event that a student is involved in an accident or becomes ill on campus, and if, in the opinion of the College, medical attention is required or at the individual's request, 911 emergency services will be called and arrangements will be made to get the student to the hospital or to a medical facility. An incident report shall be filed by the recording staff member and the student with the Human Resources Office and the Dean for Student Services within three (3) days.

### Drug and Alcohol Use in the Workplace

515.2300

Klamath Community College is dedicated to providing a healthful and safe workplace that is free of the detrimental influences of drug and alcohol abuse. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

In compliance with, and in addition to, federal and/or state laws and restrictions, unlawfully manufacturing, distributing, dispensing, possessing or using alcohol, marijuana (including medical), or controlled substances on any Klamath Community College premises is prohibited. Anyone under the influence or impaired by the use of alcohol, marijuana, or other controlled substance will be removed from the college premises.

Exceptions to this policy must be requested through the Klamath Community College President.

Violations of this policy will lead to disciplinary action, up to and including immediate termination of employment.

Under the Drug-Free Workplace Act, an employee convicted for a violation of a criminal drug statute occurring on College premises is required to notify his/her supervisor in writing of such conviction within five calendar days of conviction.

To inform employees about important provisions of this policy, Klamath Community College has established a drug-free awareness program. The program provides information on the dangers and effects of substance abuse in the workplace, resources available to employees regarding drug and/or alcohol counseling, and consequences of violations of this policy.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or Director of Human Resources to receive assistance or referrals to appropriate resources in the community.

Employees, without fear of reprisal, should raise questions regarding this policy or any issues related to drug or alcohol use in the workplace with their supervisor or the Director of Human Resources.

## Smoking and Tobacco Use on Campus

515.2305

Effective June 25, 2012, use of tobacco and all related devices is prohibited in all areas of the Klamath Community College Campus with the exception of designated smoking and tobacco shelters, and the interior of personal vehicles.

Exceptions to this Policy must be requested through the Klamath Community College President.

Fines may be imposed for noncompliance of this Policy.

**PROCEDURES** (to be listed in relevant handbooks and available on the G drive)

Facilities owned by Klamath Community College will be regulated for smoking and tobacco use starting June 25, 2012. Please see Klamath Community College's Smoking Policy at (list web address)

1. The use of tobacco, including any smoking device, or carrying of any lighted smoking instrument, in KCC buildings or on KCC premises outside of approved smoking and tobacco shelters, and the interior of personal vehicles, is prohibited. This includes, but is not limited to all KCC sidewalks, parking lots, landscaped areas, recreational areas and buildings on any KCC property and in any KCC owned, rented, or leased vehicles, and at events on KCC premises.
2. The inhaling, exhaling, burning, or carrying of any lighted smoking material, including cigarettes, cigars, pipes, or electronic cigarette devices, or vaping instruments is prohibited on college property except in one of the designated smoking and tobacco areas on campus and/or the interior of personal vehicles. The use of other tobacco products, such as smokeless or chewing tobacco, is also prohibited outside of smoking and tobacco shelters, or the interior of personal vehicles, on KCC premises.
3. Smoking materials must be extinguished prior to exiting a vehicle or entering KCC property on foot. All tobacco products in use must be disposed of appropriately. Inappropriate disposal of tobacco products may include the following examples:
  - a. Discarding cigarette butts, throwing or disposing of cigarette butts out of windows, leaving spit containers;
  - b. Spitting smokeless tobacco product; and
  - c. Anything that creates fire hazards.

Ashtrays and trash cans will be available at each approved smoking and tobacco shelter and should be used to dispose of smoking or tobacco products.

### COMPLIANCE PROCEDURES

- A. The enforcement of these rules and regulations is the responsibility of KCC Safety Officer(s) staff with the voluntary assistance of members of the College community. Assistive acts include providing informational materials on tobacco policies and verbal warnings.
- B. KCC Safety Officer(s) will use their discretion when enforcing this policy. Based upon the circumstances, KCC Safety Officer(s) may issue a verbal warning or issue a citation. Safety officers are authorized to issue warnings to first-time violators and control and regulate facilities use as prescribed in these rules and regulations.
- C. If a violation of these rules is committed, a \$25 citation may be issued and when applicable, placed on a student's account. KCC Safety Officer(s) will use discretion and take into consideration the totality of the circumstances when issuing citations. Violators may attend a cessation workshop sponsored by the Klamath County Health Department to remove the \$25 citation.
- D. Continued failure by *students* to comply with the directions of College Officials to abide by these rules may be reported to the Vice President of Student Services as a violation of the Student Code of Conduct (see student handbook). Further sanctions may be imposed through the KCC conduct process, including suspension, restitution, or probation. Students may appeal a citation to the Vice President of Student Services or designee within 5 business days of the original citation.
- E. For *faculty and staff* - compliance with KCC rules and regulations is considered a standard part of job performance for all employees. If a violation of these rules is committed by a KCC staff or faculty member,

the matter will be referred to Human Resources. Repeated failure by faculty or staff of Klamath Community College to abide by these rules and procedures may be addressed through informal discussions and/or formal disciplinary action when appropriate. Employees may appeal a citation to the Executive Director of Human Resources or designee within 5 business days of the original citation.

- F. *Visitors* in violation of the smoking and tobacco policy may be reported to the KCC Safety Officer(s) staff and in chronic cases may be trespassed from campus.

KCC Smoking Shelter Locations:

1. Shelter located South of Building 4
2. Shelter located South of Building 5
3. Shelter located West of Building 6
4. Shelter located outside of building 1 (current location)
5. Shelter located on the back side of building 3 (current location)

State and Local Smoking and Tobacco Cessation Resources

1. Oregon Tobacco Quit Line: 1-800-QUIT-NOW (1-800-784-8669)
2. Tobacco Prevention and Education Program, Klamath County Department of Public Health: 541-882-8846
3. "Freedom from Smoking" Smoking Cessation Classes – offered by Cascade Comprehensive Care – 541851-2019
4. "Not on Tobacco" (N.O.T.) – Tobacco Cessation Program for Youth offered by Lutheran Community Services – 541-883-3471
5. Cessation Counseling for Tribal Members: 541-882-1487

*Credit: This document was adapted from the Lane Community College Tobacco Free policy. The contents of this document were written with permission from staff at Lane and several sections were adopted from their policy. Klamath Community College wishes to thank Lane Community College for these efforts.*

## Travel

515.2600

Travel by college personnel is authorized. Attendance at meetings, conferences, and other gatherings is encouraged subject to budget limitations and approval, when determined that such attendance serves the best interest of the College. The President or his designee shall make travel approval determinations.

## Use of Privately Owned Vehicle

515.2605

Individuals' use of privately owned vehicles on College business is authorized subject to:

- A. The individual is responsible for maintaining a valid driver's license, current vehicle registration, and insurance at state minimum.
- B. Physical damage, collision, or loss to an employee's private vehicle is not reimbursable by Klamath Community College.
- C. Insurance deductibles are not reimbursable by the College.

## Travel Expense Reimbursement

515.2610

Related expenses for approved travel will be reimbursed within the budgetary allowance and in accordance with approved travel reimbursement procedures. Travel reimbursement requests must be accompanied by a supervisor's signature and, in accordance with IRS rules, receipts for expenses. Mileage and per diem do not require receipts.

## PRIVATELY OWNED VEHICLES

Reimbursement rate for personal car mileage will be the amount allowable by the IRS. Expense Report is required for reimbursement by the College.

## RENTAL VEHICLES

Reimbursement for rental vehicles will be for actual amount including taxes, fees, and fuel. Attempts should be made to secure reasonably priced vehicles.

## MEALS

Reimbursement for the cost of employee's meals will be at the rate allowable by the IRS, on a per diem basis. The College will not require receipts for meals.

## MOTEL/HOTEL

Reimbursement for lodging will be for the actual amount including taxes. Attempts should be made to find reasonably priced lodging. However employees are encouraged to stay at conference specified lodging.

## CONFERENCE

Reimbursement for membership dues, registration fees, and conference fees shall first be approved by either the appropriate Dean or President of the College.

## OTHER EXPENSES

Unforeseen expenses may arise during a trip such as parking, registration fees, etc. Reimbursement for such items may be requested and must be supported by receipts.

## Travel Advances

515.2615

It is understood that persons incurring substantial travel expenses might suffer from financial inconvenience as a result. Therefore, a travel advance may be requested. Employees will be required to return any money that was not used, as well as Reimbursement of Travel Form and accompanying receipts.

## Frequent Traveler Programs

515.2620

Frequent traveler mileage or bonuses earned by employees traveling on college business are part of the employee's benefit compensation package, and may be used as the employee chooses unless the terms of a grant or sponsorship prevent the use of the frequent traveler mileage or bonuses by the employee.

## **SUPPORT STAFF**

**520.0000**

SUPPORT STAFF are responsible for providing institutional support services. Assignments require the performance of work related to academic support, student services and institutional support activities which are typically routine and non-managerial in nature. Positions in this category are non-exempt from the overtime provisions of the Fair Labor Standards Act (FLSA).

FULL-TIME employees are those who are not in a temporary position and who are regularly scheduled to work forty (40) hours per week. Full-time employees are eligible for Klamath Community College's benefit package described in each classification section, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are not in a temporary position and who are regularly scheduled to work at least twenty (20) hours per week, but not more than thirty (30) hours per week. Part-time employees are eligible for Klamath Community College's benefit package at the level described in each classification section, subject to the terms, conditions, and limitations of each benefit program.

TEMPORARY employees are those who are regularly scheduled to work fewer than twenty (20) hours per week or are hired to work full-time or part-time as interim replacements, to temporarily supplement the work force, for a specific project involving a limited period of time, not to exceed one year. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees receive all legally mandated benefits, but are not eligible for Klamath Community College's other benefit programs.

### Letter of Appointment

520.0300

Written letters of appointment will be provided for all full-time and part-time support staff upon initial hire and prior to the beginning of each fiscal year.

### Holidays

520.0400

There shall be eleven paid holidays annually: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve, and Christmas Day. The College shall be closed on these days. In the event a designated holiday falls on a weekend, the College will establish the day on which the College will be closed.

### Payment

- A. Eligible full-time employees shall be paid for the holiday.
- B. Part-time employees shall be paid for the hours they are normally scheduled to work on the day of the week on which the holiday falls.

### Work Scheduling

- A. In the event that essential College operations require that an employee work on a designated paid holiday, a non-exempt employee shall be compensated over-time wages.
- B. In the event that a designated paid holiday falls during a period of an employee's scheduled paid vacation leave, that holiday shall not be charged against the employee's vacation leave.
- C. In the event a designated paid holiday falls on an employee's scheduled day off, the employee will be given the following scheduled workday off in observance of the holiday.

### Overtime Compensation

520.0600

- A. As provided for in the Fair Labor Standards Act and in accordance with state wage and hour law, overtime will be calculated at the rate of one and one-half times the regular hourly rate.
- B. Dean level written approval must be obtained before overtime or compensatory time is earned/accumulated.
- C. Employees may take overtime as compensatory time off when scheduled with supervisor approval.
- D. No more than 40 hours of compensatory time may be accumulated. A maximum of 40 hours of compensatory time may be carried over from one fiscal year to the next.
- E. Non-exempt employees shall receive overtime compensation for time worked on a holiday.

### Vacation

520.0800

Vacation is awarded as follows:

- A. Employees will receive ten (10) days of vacation per year for their first six (6) years of consecutive full time employment.
- B. Employees will receive Fifteen (15) days of vacation per year for their seventh (7<sup>th</sup>) year through their fourteenth (14<sup>th</sup>) year of consecutive full time employment.
- C. Employees will receive twenty (20) days of vacation per year for their fifteenth (15<sup>th</sup>) year of consecutive full time employment and henceforth.

Vacation is awarded subject to the following conditions:

- A. At no time may an employee carry more than twenty-five (25) days of vacation.
- B. Vacation schedules shall be approved by the employee's supervisor in accordance with the needs of the College, and when feasible, with the request of the employee; and shall be scheduled so as to prevent the loss of vacation time earned.
- C. In cases of conflict, the supervisor will determine which request will have precedence.
- D. Employees should submit a leave request form to their supervisor requesting paid vacation leave before leave is taken.
- E. Upon initial hire, vacation will be prorated for the time employed during the current fiscal year.
- F. Upon separation, vacation will be prorated for the time employed during the current fiscal year.

### Sick Leave

520.1100

- A. Full time support staff shall accumulate paid sick leave equivalent to 8 hours per month. Accumulated sick leave is not compensable, except as provided for in ORS 238.355.
- B. Eligible part-time employees shall earn prorated sick leave on the basis of total hours worked each month. Accumulated sick leave is not compensable, except as provided for in ORS 238.355.

- C. In the event of illness or injury as applied to this section, the employee shall make a reasonable attempt to notify the employee's supervisor before or at the beginning of each scheduled work day. Each day's absence shall be reported on the monthly time sheet or leave record upon the employee's return to work and shall be applied against any unused sick leave.
- D. In the event of illness or injury of an employee's immediate family which necessitates the employee's absence, unused sick leave may be used to a maximum of three days in any one instance. At the discretion of Management, the three day period may be extended in exceptional circumstances. For the purposes of this policy statement, "immediate family" shall mean spouse, parent, step-parent, child, step-child, siblings, grandparent, grandchild, in-laws, or persons residing in the employee's household.
- E. If an illness or injury exhausts unused sick leave, accumulated compensatory time may be taken, followed by vacation days.
- F. Abuse of sick leave will result in disciplinary action.
- G. A doctor's note may be required by the employee's supervisor for any sick leave referred to above.

Sick Leave Donation

520.1110

An employee sick leave donation shall be created for the purpose of extending additional sick leave days to employees, should a serious illness or injury exhaust their regular accumulated sick leave days. Donating employees must maintain a minimum balance of 15 days (120 hours). Any employee whose sick leave balance is below the minimum may not donate except by special permission of the Vice President of Human Resources and Institutional Effectiveness.

All full-time employees, except as noted above, are eligible to participate in the sick leave donation. Contributions of one (1) or more days are strictly voluntary on the part of all employees. An employee may donate up to seven (7) days per year.

The Human Resources Department, after receiving consent, shall notify all employees whenever an employee member requests sick leave donation. A form shall be provided for employees to indicate the number of sick days they wish to donate. Donated sick leave must be used within six (6) months of receipt of the donation.

Family Medical Leave Act and Oregon Family Leave Act

520.1150

In accordance with the Federal Family Medical Leave Act (FMLA) and the Oregon Family Leave Act, (OFLA), Klamath Community College shall provide employees job protected leave to care for themselves or family members in case of illness, injury, childbirth or adoption. Contact the Human Resources Office for more information regarding FMLA and OFLA.

Personal Leave

520.1200

Personal leave of two days per annum is awarded each support staff employee for the purpose of transacting personal business without loss of pay. Should an employee begin employment after December 31, one day of personal leave shall be awarded for the current fiscal year. Notice is to be submitted to the immediate supervisor for approval. No carry-over of personal days from one fiscal year to another will occur. Personal leave is not compensable.

Bereavement Leave 520.1400

An employee may be absent with pay for up to five (5) working days following the death of a member of his/her immediate family. Immediate family includes spouse, parent, child, step-child, step-parent, siblings, grandparent, grandchild, in-laws, and persons residing in the employee's home. The five-day limit and/or the strict definition of "immediate family" may be extended at the discretion of the College President.

Unpaid Leave 520.1500

An unpaid leave of thirty days or less, recommended by an employee's supervisor, may be considered on an individual basis and if approved by the President shall be documented in writing.

Extended Leave of Absence 520.1600

The President may grant a "leave of absence" for up to one year. In granting the leave, the President shall hold as the primary criteria the needs of the College and the ability of the College to find a suitable replacement. If approved by the President, it shall be documented in writing.

Leaves of absence shall be without pay. During such leave, the employee will not accumulate leave (sick leave, personal leave, or vacation), nor will the employee be entitled to fringe benefits. However, the employee may retain insurances by arranging with the Human Resources Office for employee payment of the total premium cost. An unpaid leave of thirty days or less, recommended by an employee's supervisor, may be considered on an individual basis and the ability of the College to find a suitable replacement.

Military Leave 520.1800

- A. An employee who is a member of one of the reserve components of the armed forces of the United States or the Oregon National Guard shall be entitled to leave without loss of pay for Military duty for a period not to exceed a total of fifteen calendar days each calendar year, as provided in State statute.
- B. Requests for military leave shall be submitted through regular procedures and shall be accompanied by official orders specifying the dates and location of such military duty.
- C. Unit activation in excess of fifteen days will be treated as unpaid leave or extended leave of absence.

Community Service Leave 520.1900

From time to time, support staff employees are appointed to public service commissions or councils or serve in public service capacity. With written permission of the President, time may be granted for an employee to perform these functions.

FICA, Unemployment and Workers' Compensation 520.2000

The College will maintain its required contributions of FICA, Unemployment Insurance, and Workers' Compensation for all employees. Except as allowed by State agreement with the Social Security Administration, Federal Work Study student employee's wages are excluded from social security and Medicare taxation.



Health Insurance 520.2200

Klamath Community College provides full-time employees with an amount to be utilized to purchase the required Employee Health Insurance Package and the remainder to be utilized as determined by the employee.

Klamath Community College provides part-time employees with a prorated amount to be utilized towards the purchase of the required Employee Health Insurance Package.

Details of the group health insurance plan including benefit amounts are described in the summary plan description provided to eligible employees. Contact the Human Resources Office for more information about health insurance benefits.

Group Life Insurance 520.2300

Klamath Community College provides a group life insurance plan for eligible employees. Employees participate in the group life insurance plan subject to all terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about life insurance benefits.

Group Accidental Death and Dismemberment Insurance 520.2400

Klamath Community College provides a group accidental death and dismemberment insurance plan for eligible employees. Employees participate in the group accidental death and dismemberment insurance plan subject to all terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group accident insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about accident insurance benefits.

Group Long-Term Disability Insurance 520.2500

Klamath Community College provides a group long-term disability insurance plan for eligible employees. Employees participate in the group long-term disability insurance plan subject to the terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group long-term disability insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about group long-term disability.

Tuition Remission 520.2600

- A. The Board agrees to waive tuition for classes for support staff, their spouse, and dependents under twenty-five.
- B. No course will be conducted which would otherwise have been cancelled without the enrollment of such tuition waiver student. No tuition waiver student shall displace a tuition paying student.

- C. Enrollment in a class by an employee shall not interfere with the employee's regular duties and responsibilities. When courses require absence from work, supervisor approval is required.

Resignation

520.3000

To resign in good standing, an employee will provide two (2) weeks written notice. Written resignations shall be submitted to the employee's supervisor and forwarded through the Director of Human Resources to the President's office.

## **TEMPORARY FULL-TIME FACULTY**

**535.0000**

TEMPORARY FULL-TIME FACULTY are responsible for conducting instruction of college courses. Assignments require the performance of work directly related to providing full-time academic instruction for a pre-determined time period not to exceed four (4) consecutive terms. Positions in this classification are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA). Temporary full-time faculty are eligible for Klamath Community College's benefit package at the level described herein, subject to the terms, conditions and limitations of each benefit program.

### Letter of Appointment

535.0300

A contract for employment will be provided for all temporary full-time faculty prior to assumption of duties.

### Faculty Assignment

535.0350

Actual activity assignments for temporary full-time faculty may vary, contingent on needs of the institution, instructional load, or discipline function in the overall curricular offering.

### Additional Assignments

535.0370

Temporary full-time faculty shall maintain office hours as prescribed by the administration. In addition, temporary full-time faculty duties may include advising organizations and groups at in-services, and participation in such activities, committees, and councils as deemed necessary.

### Holidays

535.0400

There shall be eleven paid holidays annually: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve, and Christmas Day. The College shall be closed on these days. In the event a designated holiday falls on a weekend, the College will establish the day on which the College will be closed. In the event that a designated paid holiday falls on a scheduled workday, temporary full-time faculty shall be paid holiday leave.

### Sick Leave

535.1100

- A. Temporary full-time faculty shall accumulate paid sick leave equivalent to 8 hours per month. Sick leave accruals are not compensable, except as provided for in ORS 238.355.
- B. In the event of illness or injury as applied to this section, the employee shall make a reasonable attempt to notify the employee's supervisor before or at the beginning of each scheduled work day. Each day's absence shall be reported on the monthly time sheet or leave record upon the employee's return to work and shall be applied against any unused sick leave.
- C. In the event of illness or injury of an employee's immediate family which necessitates the employee's absence, unused sick leave may be used to a maximum of three days in any one instance. At the discretion of Management, the three day period may be extended in exceptional circumstances. For the purposes of this policy statement, "immediate family" shall mean spouse, parent, step-parent, child, step-child, siblings, grandparent, grandchild, in-laws, and persons residing in the employee's household.
- D. Abuse of sick leave will result in disciplinary action.
- E. A doctor's note may be required by the employee's supervisor for any sick leave referred to above.

Family Medical Leave Act and Oregon Family Leave Act 535.1150

In accordance with the Federal Family Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA), Klamath Community College shall provide employees with position protected leave to care for themselves or family members in case of illness, injury, childbirth or adoption. Contact the Human Resources Office for more information regarding FMLA and OFLA.

Personal Leave 535.1200

Personal leave of two days per annum is awarded each temporary full-time faculty for the purpose of transacting personal business without loss of pay. Should an employee begin employment after December 31<sup>st</sup>, one day of personal leave shall be awarded for the current fiscal year. Notice in writing is to be submitted to the immediate supervisor for approval. No carry-over of personal days from one fiscal year to another will occur. Personal leave is not compensable.

Bereavement Leave 535.1400

An employee may be absent with pay for up to three working days following the death of a member of his/her immediate family. In unusual circumstances extension of this limit shall be at the discretion of the President. For the purposes of this policy statement, "immediate family" shall mean spouse, parent, step-parent, child, step-child, siblings, grandparent, grandchild, in-laws, and persons residing in the employee's household.

Military Leave 535.1800

- A. An employee who is a member of one of the reserve components of the armed forces of the United States or the Oregon National Guard shall be entitled to leave without loss of pay for Military duty for a period not to exceed a total of fifteen calendar days each calendar year, as provided in State statute.
- B. Requests for military leave shall be submitted through regular procedures and shall be accompanied by official orders specifying the dates and location of such military duty.
- C. Unit activation in excess of fifteen days will be treated as unpaid leave or extended leave of absence.

FICA, Unemployment and Workers' Compensation 535.2000

The College will maintain its required contributions of FICA, Unemployment Insurance, and Workers' Compensation Insurance for all employees.

Health Insurance 535.2200

Klamath Community College provides full-time employees with an amount to be utilized to purchase the required Employee Health Insurance Package and the remainder to be utilized as determined by the employee.

Details of the group health insurance plan including benefit amounts are described in the summary plan description provided to eligible employees. Contact the Human Resources Office for more information about health insurance benefits.

Group Life Insurance 535.2300

Klamath Community College provides a group life insurance plan for eligible employees. Fulltime employees are eligible to fully participate in the group life insurance plan subject to all terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about life insurance benefits.

Group Accidental Death and Dismemberment Insurance 535.2400

Klamath Community College provides a group accidental death and dismemberment insurance plan for employees. Eligible employees participate in the group accidental death and dismemberment insurance plan subject to all terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group accident insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about accident insurance benefits.

Group Long-Term Disability Insurance 535.2500

Klamath Community College provides a group long-term disability insurance plan for eligible employees. Employees participate in the group long-term disability insurance plan subject to the terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group long-term disability insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about long term disability benefits.

Tuition Remission 535.2600

- A. The Board agrees to waive tuition for classes for full-time temporary faculty, their spouse, and dependents under age twenty-five.
- B. No course will be conducted which would otherwise have been cancelled without the enrollment of such tuition waiver student. No tuition waiver student shall displace a tuition paying student.
- C. Enrollment in a class by an employee shall not interfere with the employee's regular duties and responsibilities. When courses require absence from work, supervisor approval is required.

Resignation 535.3000

Resignation during the term of a temporary contract may result in forfeiture of unpaid salary and benefits or other assessment of damages for breach of contract.

## **ADJUNCT FACULTY**

**545.0000**

ADJUNCT FACULTY are responsible for conducting instruction of college courses in a temporary or auxiliary capacity. Assignments require the performance of work directly related to teaching a specific course or courses on a term by term basis. Positions in this classification are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA).

### Contract for Employment

545.0300

A contract for employment will be provided to all adjunct faculty upon hire. Disbursement of salary shall be contingent on contract signature and completion of other required documents.

### Faculty Assignment

545.0350

Adjunct faculty will be assigned to those course sections for which they have been specifically contracted.

### Additional Faculty Assignments

545.0370

Adjunct faculty shall participate in required in-service activities and shall maintain outside of class availability, as prescribed by the administration.

### FICA, Unemployment and Workers' Compensation

545.2000

The College will maintain its required contributions of FICA, Unemployment Insurance, and Workers' Compensation Insurance for all employees.

### Tuition Remission

545.2600

The Board agrees to waive tuition for adjunct faculty during the term or subsequent term of his/her employment as follows:

- For up to the number of credits for which the adjunct faculty provided instruction or for the number of hours for which the adjunct faculty provided instruction.
- For the adjunct faculty, his/her spouse or his/her dependent child(ren) under the age of twenty-five.
- No partial tuition remission will be permitted.
- No course will be conducted which would otherwise be cancelled without the enrollment of such tuition remission student.
- No tuition waiver student shall displace a tuition-paying student.

## **ADMINISTRATIVE STAFF AND TWELVE MONTH FACULTY 550.0000**

ADMINISTRATIVE STAFF AND TWELVE MONTH FACULTY are responsible for overall management of the institution. Assignments require the performance of work directly related to management policies or college-wide business operations of the institution or department of the institution. Additionally, Twelve Month Faculty are responsible for providing academic instruction and educational leadership. Positions in this classification are exempt from the overtime provision of the Fair Labor Standards Act (FLSA).

### Letter of Appointment 550.0200

Written letters of appointment will be provided for all administrative staff/twelve month faculty upon hire. To implement ORS 341.547, notice of intent to rehire or not rehire will be provided 120 calendar days prior to the beginning of each fiscal year thereafter.

### Holidays 550.0600

There shall be eleven paid holidays annually: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve, and Christmas Day. The College will be closed on those days.

- A. Full-time employees shall be paid for the holiday.
- B. In the event that a designated paid holiday falls during a period of an employee's scheduled paid vacation leave, that holiday shall not be charged against the employee's vacation leave.

### Vacation 550.0800

Vacation is awarded at 20 days per fiscal year subject to the following conditions:

- A. An employee can end a fiscal year with not more than 30 days
- B. Vacation schedules shall be approved by the employee's supervisor in accordance with the needs of the College, and when feasible, with the request of the employee; and shall be scheduled so as to prevent the loss of vacation time earned.
- C. In cases of conflict, the supervisor will determine which request will have precedence.
- D. Employees should submit a leave request form to their supervisor requesting paid vacation leave before leave is taken.
- E. Upon initial hire, vacation will be prorated for the time employed during the current fiscal year.
- F. Upon separation, vacation will be prorated for time employed during the current fiscal year.

### Vacation, Required 550.0850

Each Administrative Staff and Twelve Month Faculty shall take five consecutive days of vacation at least once during the fiscal year.

### Sick Leave 550.1100

- A. Full-time administrative staff/twelve month faculty shall accrue paid sick leave equivalent to 8 hours per month. Sick leave accruals are not compensable, except as provided for in ORS 238.355.
- B. In the event of illness or injury as applied to this section, the employee shall make a reasonable attempt to notify the employee's supervisor before or at the beginning of each scheduled work day. Each day's absence shall be reported on the monthly time sheet or

leave record upon the employee's return to work and shall be applied against any unused sick leave.

- C. In the event of illness or injury of an employee's immediate family which necessitates the employee's absence, unused sick leave may be used to a maximum of three days in any one instance. At the discretion of Management, the three day period may be extended in exceptional circumstances. For the purposes of this policy statement, "immediate family" shall mean spouse, parent, step-parent, child, step-child, siblings, grandparent, grandchild, in-laws, and other persons residing in the employee's household.
- D. If an illness or injury exhausts unused sick leave, then vacation days may be taken. If an illness or injury exhausts unused sick leave, then vacation days, accumulated compensatory time may be taken. Abuse of sick leave will result in disciplinary action.
- E. A doctor's note may be required by the employee's supervisor for any sick leave referred to above.

### Sick Leave Donation

550.1110

An employee sick leave donation shall be created for the purpose of extending additional sick leave days to employees, should a serious illness or injury exhaust their regular accumulated sick leave days. Donating employees must maintain a minimum balance of 15 days (120 hours). Any employee whose sick leave balance is below the minimum may not donate except by special permission of the Vice President of Human Resources and Institutional Effectiveness.

All full-time employees, except as noted above, are eligible to participate in the sick leave donation. Contributions of one (1) or more days are strictly voluntary on the part of all employees. An employee may donate up to seven (7) days per year.

The Human Resources Department, after receiving consent, shall notify all employees whenever an employee member requests sick leave donation. A form shall be provided for employees to indicate the number of sick days they wish to donate. Donated sick leave must be used within six (6) months of receipt of the donation.

### Family Medical Leave Act and Oregon Family Leave Act

550.1150

In accordance with the Federal Family Medical Leave Act (FMLA) and the Oregon Family Leave Act, (OFLA), Klamath Community College shall provide employees with position protected leave to care for themselves or family members in case of illness, injury, childbirth or adoption. Contact the Human Resources Office for more information regarding FMLA and OFLA.

### Personal Leave

550.1200

Personal leave of two days per annum is awarded each administrative staff/twelve month faculty for the purpose of transaction of personal business without loss of pay. Notice in writing is to be submitted to the immediate supervisor for approval. No carry-over of personal days from one fiscal year to another will occur. Personal leave is not compensable.

### Bereavement Leave

550.1400

An employee may be absent with pay for up to five (5) working days following the death of a member of his/her immediate family. Immediate family includes spouse, parent, child, step-child, step-parent, siblings, grandparent, grandchild, in-laws, and persons residing in the employee's home. The five-day limit and/or the strict definition of "immediate family" may be extended at the discretion of the College President.



Unpaid Leave 550.1500

An unpaid leave of thirty days or less, recommended by an employee's supervisor, will be considered on an individual basis and if approved by the President shall be documented in writing.

Extended Leave of Absence 550.1600

The President may grant a "leave of absence" for up to one year. In granting the leave, the President shall hold as the primary criteria the needs of the College and the ability of the College to find a suitable replacement. If approved by the President, it shall be documented in writing.

Leaves of absence shall be without pay. During such leave, the employee will not accumulate leave (sick leave, personal leave, or vacation), nor will the employee be entitled to fringe benefits. However, the employee may retain insurances by arranging with the Human Resources Office for employee payment of the total premium cost. An unpaid leave of thirty days or less, recommended by an employee's supervisor, may be considered on an individual basis and the ability of the College to find a suitable replacement.

Sabbatical Leave 550.1700

Administrative Staff and Twelve Month Faculty with six years of full-time continuous service and not have taken a sabbatical within the previous six years of full-time continuous service are eligible for a sabbatical leave for up to one year.

An employee on a sabbatical leave shall continue to receive his/her regular salary and benefits. An employee granted a sabbatical leave assumes a professional obligation to the College for a period equal to at least the amount of time of the sabbatical leave subsequent to the individuals return to the college.

Eligible employees may apply for a sabbatical leave by submitting to his or her respective Dean a formal proposal for the sabbatical that shall include the following:

- Purpose and design of the activities to be undertaken
- End product (outcomes)
- Contribution of the sabbatical to individuals professional development
- Significance of the sabbatical to the College's Vision, Mission and Goals
- Contribution of the outcomes to the College's growth

The Dean shall recommend to the President individuals for sabbaticals based on proposals submitted. The President shall review proposals, evaluate contribution to College Mission and Goals and determine cost of sabbaticals to the College. The President will present to the Board of Education approved proposals including budgetary funds required for each sabbatical. The Board has final authority in granting sabbaticals.

The number of sabbaticals granted may be limited based on College needs and financial resources.

Military Leave 550.1800

- A. An employee who is a member of one of the reserve components of the armed forces of the United States or the Oregon National Guard shall be entitled to leave without loss of pay for Military duty for a period not to exceed a total of fifteen calendar days each calendar year, as provided in State statute.

- B. Requests for military leave shall be submitted through regular procedures and shall be accompanied by official orders specifying the dates and location of such military duty.
- C. Unit activation in excess of fifteen days will be treated as unpaid leave or extended leave of absence.

Community Service Leave 550.1900

From time to time, administrative staff/twelve month faculty are appointed to public service commissions or councils. At the discretion of the President, up to two days per month may be granted for an administrative employee or twelve month faculty to perform these functions.

FICA, Unemployment and Workers' Compensation 550.2000

The College will maintain its required contributions of FICA, Unemployment Insurance, and Workers' Compensation Insurance for all employees.

Health Insurance 550.2200

Klamath Community College provides full-time employees with an amount to be utilized to purchase the required Employee Health Insurance Package and the remainder to be utilized as determined by the employee.

Details of the group health insurance plan including benefit amounts are described in the summary plan description provided to eligible employees. Contact the Human Resources Office for more information about health insurance benefits.

Group Life Insurance 550.2300

Klamath Community College provides a group life insurance plan for eligible employees. Employees participate in the group life insurance plan subject to all terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about life insurance benefits.

Group Accidental Death and Dismemberment Insurance 550.2400

Klamath Community College provides a group accidental death and dismemberment insurance plan for eligible employees. Employees participate in the group accidental death and dismemberment insurance plan subject to all terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group accident insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about accident insurance benefits.

Group Long-Term Disability Insurance 550.2500

Klamath Community College provides a group long-term disability insurance plan for eligible employees. Employees participate in the group long-term disability insurance plan subject to the terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group long-term disability insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about group long-term disability.

Tuition Remission 550.2600

- A. The Board agrees to waive tuition for classes for administrative staff/twelve month faculty, their spouse, and dependents under age twenty-five.
- B. No course will be conducted which would otherwise have been cancelled without the enrollment of such tuition waiver student. No tuition waiver student shall displace a tuition paying student.
- C. Enrollment in a class by an employee shall not interfere with the employee's regular duties and responsibilities. When courses require absence from work, supervisor approval is required.

Consultancy 550.2700

It is recognized that from time to time College administrative staff/twelve month faculty will be requested to act in a consultant capacity. As a benefit to employees, paid consultancy will be allowed and authorized at the written discretion of the President.

Resignation 550.3000

To resign in good standing, administrative staff will provide four (4) weeks written notice and twelve month faculty will provide ninety (90) days written notice. Written resignations shall be submitted to the employee's supervisor and forwarded through the Director of Human Resources to the President's office.

Reduction-in-Force 550.3100

When the Board deems that financial exigency, non-viability of programs, over-staffing, declining enrollment, or course discontinuance requires a reduction in the number of twelve month faculty to be employed at the beginning of the next academic year, the Board may layoff an employee at the close of the academic year provided that the following provisions shall apply:

- A. Prior to a reduction in the force of twelve month faculty, it shall be the responsibility of the President to present to the Board competent evidence demonstrating that a change in circumstances has occurred necessitating a reduction-in-force. Any alleged change in circumstances must be specifically related to the twelve month faculty to be reduced in force, and the Board, based upon evidence provided, shall be required to find that there are no other teaching vacancies on the staff for which the twelve month faculty is qualified by professional training to perform.
- B. The decision as to when retrenchment, or a reduction-in-force is necessary, is the decision of the President and the Board.
- C. Whenever a reduction-in-force is necessary, an Advisory Committee shall be appointed to provide recommendations to the President. The Advisory Committee shall study the problem and provide recommendations to the President on the area affected by the proposed action, within time limits established by the President. It is understood that the Advisory Committee shall act as an advisory group. The following is a minimal list of criteria which the Advisory Committee shall utilize:
  - 1. Program viability shall be controlling consideration in all instances.
  - 2. Discipline function and/or the overall curricular offerings.
  - 3. Relationship of the discipline to the Role and Mission Statement of the College.

4. Reduction shall be made in such a manner that the remaining faculty possess the necessary qualifications to perform assigned duties needed for offering a viable program.
  5. The history of the number of students served.
  6. After considering the above factors and where actual layoffs must occur, length of service shall be the factor used to determine which twelve month faculty will be laid off and which retained, provided that the senior twelve faculty is qualified to teach in the areas for which retained.
  7. Length of service shall be determined by the years of full time teaching experience at Klamath Community College.
- D. Any twelve month faculty who have been laid off under reduction-in-force procedures shall be considered to have been laid off in good standing, and shall upon request be provided a letter to that effect.
  - E. During a period of 24 months commencing at the end of the contract year, such twelve month faculty shall have preferred rights to full-time re-employment and shall be recalled on the basis of length of service to the College to any position for which he/she is qualified by endorsement or college preparation to teach.
  - F. The said twelve month faculty shall, upon full-time re-employment, retain any benefits which have accrued to said twelve month faculty prior to termination, but such leave of absence shall not be considered as a year of employment by the College. The twelve month faculty shall be responsible for maintaining his/her current address and telephone number with the Human Resources Office. Offers of reappointment may be made by telephone, but shall be confirmed in writing and the twelve month faculty shall have seven days to accept the offer of reappointment unless extended by mutual consent. The twelve month faculty shall send a letter accepting the offer of reappointment to the President.
  - G. The twelve month faculty under contract to another educational institution may waive recall, but such waiver shall not deprive the employee of his/her right to subsequent recall.
  - H. The College shall attempt to absorb reductions in an academic department, division, or program area through normal attrition due to resignations, retirements, leaves of absences, and/or alternate assignment of personnel.
  - I. Notwithstanding Sections A to H above, if the reduction of a twelve month faculty based upon these provisions would place the College in non-compliance of any federal or state law or regulation requiring affirmative action employment practices, the College may vary from these provisions as necessary to comply with such laws and regulations.

## **NINE MONTH (174 DAY) FACULTY**

**551.0000**

NINE MONTH (174 DAY) FACULTY are responsible for teaching a full time instruction load during three (3) academic terms each academic year. Nine month faculty are considered full time employees. Positions in this classification are exempt from the overtime provision of the Fair Labor Standards Act (FLSA).

### Letter of Appointment

551.0200

Written letters of appointment will be provided for all nine month (174 day) faculty upon hire. To implement ORS 341.547, notice of intent to rehire or not rehire will be provided 120 calendar days prior to the beginning of each fiscal year thereafter.

### Holidays

551.0600

Nine month (174 day) faculty members shall be paid for those holidays observed by Klamath Community College that fall during the three (3) academic terms he/she is scheduled to teach. Klamath Community College observes the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve, and Christmas Day. The College will be closed on those days.

### Vacation

551.0800

Nine month (174 day) faculty do not receive vacation.

### Sick Leave

551.1100

- A. Nine month (174 day) faculty shall accrue paid sick leave equivalent to 8 hours per month for ten (10) months per fiscal year. Sick leave accruals are not compensable, except as provided for in ORS 238.355..
- B. In the event of illness or injury as applied to this section, the employee shall make a reasonable attempt to notify the employee's supervisor before or at the beginning of each scheduled work day. Each day's absence shall be reported on the monthly time sheet or leave record upon the employee's return to work and shall be applied against any unused sick leave.
- C. In the event of illness or injury of an employee's immediate family which necessitates the employee's absence, unused sick leave may be used to a maximum of three days in any one instance. At the discretion of Management, the three day period may be extended in exceptional circumstances. For the purposes of this policy statement, "immediate family" shall mean spouse, parent, step-parent, child, step-child, siblings, grandparent, grandchild, in-laws, and other persons residing in the employee's household.
- D. If an illness or injury exhausts unused sick leave, then leave without pay can be used. Abuse of sick leave will result in disciplinary action.
- E. A doctor's note may be required by the employee's supervisor for any sick leave referred to above.

### Family Medical Leave Act and Oregon Family Leave Act

551.1150

In accordance with the Federal Family Leave Act (FMLA) and the Oregon Family Leave Act, (OFLA), Klamath Community College shall provide employees with position protected leave to care for themselves or family members in case of illness, injury, childbirth or adoption. Contact the Human Resources Office for more information regarding FMLA and OFLA.

Personal Leave 551.1200

Personal leave of two days per annum is awarded each nine month (174 day) faculty for the purpose of transaction of personal business without loss of pay. Notice in writing is to be submitted to the immediate supervisor for approval. No carry-over of personal days from one fiscal year to another will occur. Personal leave is not compensable.

Bereavement Leave 551.1400

An employee may be absent with pay for up to three working days following the death of a member of his/her immediate family. In unusual circumstances extension of this limit shall be at the discretion of the President. For the purposes of this policy statement, "immediate family" shall mean spouse, parent, step-parent, child, step-child, siblings, grandparent, grandchild, in-laws, and persons residing in the employee's household.

Unpaid Leave 551.1500

An unpaid leave of thirty days or less, recommended by an employee's supervisor, will be considered on an individual basis and if approved by the President shall be documented in writing.

Extended Leave of Absence 551.1600

The President may grant a "leave of absence" for up to one year. In granting the leave, the President shall hold as the primary criteria the needs of the College and the ability of the College to find a suitable replacement. If approved by the President, it shall be documented in writing.

Leaves of absence shall be without pay. During such leave, the employee will not accumulate leave (sick leave, personal leave, or vacation), nor will the employee be entitled to fringe benefits. However, the employee may retain insurances by arranging with the Human Resources Office for employee payment of the total premium cost. An unpaid leave of thirty days or less, recommended by an employee's supervisor, may be considered on an individual basis and the ability of the College to find a suitable replacement.

Sabbatical Leave 551.1700

Nine Month Faculty with six years of full-time continuous service and not have taken a sabbatical within the previous six years of full-time continuous service are eligible for a sabbatical leave for up to one year.

An employee on a sabbatical leave shall continue to receive his/her regular salary and benefits. An employee granted a sabbatical leave assumes a professional obligation to the College for a period equal to at least the amount of time of the sabbatical leave subsequent to the individuals return to the college.

Eligible employees may apply for a sabbatical leave by submitting to his or her respective Dean a formal proposal for the sabbatical that shall include the following:

- Purpose and design of the activities to be undertaken
- End product (outcomes)
- Contribution of the sabbatical to individuals professional development
- Significance of the sabbatical to the College's Vision, Mission and Goals
- Contribution of the outcomes to the College's growth

The Dean shall recommend to the President individuals for sabbaticals based on proposals submitted. The President shall review proposals, evaluate contribution to College Mission and Goals and determine cost of sabbaticals to the College. The President will present to the Board of Education approved proposals including budgetary funds required for each sabbatical. The Board has final authority in granting sabbaticals.

The number of sabbaticals granted may be limited based on College needs and financial resources.

Military Leave 551.1800

- A. An employee who is a member of one of the reserve components of the armed forces of the United States or the Oregon National Guard shall be entitled to leave without loss of pay for Military duty for a period not to exceed a total of fifteen calendar days each calendar year, as provided in State statute.
- B. Requests for military leave shall be submitted through regular procedures and shall be accompanied by official orders specifying the dates and location of such military duty.
- C. Unit activation in excess of fifteen days will be treated as unpaid leave or extended leave of absence.

FICA, Unemployment and Workers' Compensation 551.2000

The College will maintain its required contributions of FICA, Unemployment Insurance, and Workers' Compensation Insurance for all employees.

Health Insurance 551.2200

Klamath Community College provides nine month (174) day faculty with an amount to be utilized to purchase the required Employee Health Insurance Package and the remainder to be utilized as determined by the employee.

Details of the group health insurance plan including benefit amounts are described in the summary plan description provided to eligible employees. Contact the Human Resources Office for more information about health insurance benefits.

Group Life Insurance 551.2300

Klamath Community College provides a group life insurance plan for eligible employees. Employees participate in the group life insurance subject to all terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about life insurance benefits.

Group Accidental Death and Dismemberment Insurance 551.2400

Klamath Community College provides a group accidental death and dismemberment insurance plan for eligible employees. Employees participate in the group accidental death and dismemberment insurance plan subject to all terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group accident insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about accident insurance benefits.

Group Long-Term Disability Insurance 551.2500

Klamath Community College provides a group long-term disability insurance plan for eligible employees. Employees participate in the group long-term disability insurance plan subject to the terms and conditions of the agreement between Klamath Community College and the insurance carrier.

Details of the group long-term disability insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about group long-term disability.

Tuition Remission 551.2600

- A. The Board agrees to waive tuition for classes for nine month (174 day) faculty, their spouse, and dependents under age twenty-five.
- B. No course will be conducted which would have otherwise been cancelled without the enrollment of such tuition waiver student. No tuition waiver student shall displace a tuition paying student.
- C. Enrollment in a class by an employee shall not interfere with the employee's regular duties and responsibilities. When courses require absence from work, supervisor approval is required.

Consultancy 551.2700

It is recognized that from time to time College nine month (174 day) faculty employees will be requested to act in a consultant capacity. As a benefit to employees, paid consultancy will be allowed and authorized at the discretion of the President.

Resignation 551.3000

To resign in good standing, nine month (174 day) faculty will provide not less than ninety (90) days written notice. Written resignations shall be submitted to the employee's supervisor and forwarded through the Human Resource Director to the President's office.

Reduction-in-Force 551.3100

When the Board deems that financial exigency, non-viability of programs, over-staffing, declining enrollment, or course discontinuance requires a reduction in the number of nine month faculty to be employed at the beginning of the next academic year, the Board may lay off a nine month faculty member at the close of the academic year provided that the following provisions shall apply:

- A. Prior to a reduction in the force of nine month faculty, it shall be the responsibility of the President to present to the Board competent evidence demonstrating that a change in circumstances has occurred necessitating a reduction-in-force. Any alleged change in circumstances must be specifically related to the nine month faculty to be reduced in force, and the Board, based upon evidence provided, shall be required to find that there are no other teaching vacancies on the staff for which the nine month faculty is qualified by professional training to perform.
- B. The decision as to when retrenchment, or a reduction-in-force is necessary, is the decision of the President and the Board.



- C. Whenever a reduction-in-force is necessary, an Advisory Committee shall be appointed to provide recommendations to the President. The Advisory Committee shall study the problem and provide recommendations to the President on the area affected by the proposed action, within time limits established by the President. It is understood that the Advisory Committee shall act as an advisory group. The following is a minimal list of criteria which the Advisory Committee shall utilize:
1. Program viability shall be controlling consideration in all instances.
  2. Discipline function and/or the overall curricular offerings.
  3. Relationship of the discipline to the Role and Mission Statement of the College.
  4. Reduction shall be made in such a manner that the remaining faculty possess the necessary qualifications to perform assigned duties needed for offering a viable program.
  5. The history of the number of students served.
  6. After considering the above factors and where actual layoffs must occur, length of service shall be the factor used to determine which nine month faculty will be terminated and which retained, provided that the senior nine month faculty is qualified to teach in the areas for which retained.
  7. Length of service shall be determined by the years of full time teaching experience at Klamath Community College.
- D. Any nine month faculty laid off reduction-in-force procedures shall be considered to have been laid off in good standing, and shall upon request be provided a letter to that effect.
- E. During a period of 24 months commencing at the end of the academic year, such nine month faculty shall have preferred rights to nine month faculty re-employment and shall be recalled on the basis of length of service to the College to any position for which he/she is qualified by endorsement or college preparation to teach.
- F. The said nine month faculty shall, upon nine month faculty re-employment, retain any benefits which have accrued to said nine month faculty prior to termination, but such leave of absence shall not be considered as a year of employment by the College. The nine month faculty shall be responsible for maintaining his/her current address and telephone number with the Human Resources Office. Offers of reappointment may be made by telephone, but shall be confirmed in writing and the nine month faculty shall have seven days to accept the offer of reappointment unless extended by mutual consent. The nine month faculty shall send a letter accepting the offer of reappointment to the President.
- G. The nine month faculty under contract to another educational institution may waive recall, but such waiver shall not deprive the nine month faculty of his/her right to subsequent recall.
- H. The College shall attempt to absorb reductions in an academic department, division, or program area through normal attrition due to resignations, retirements, leaves of absences, and/or alternate assignment of personnel.
- I. Notwithstanding Sections A to H above, if the reduction of a nine month faculty based upon these provisions would place the College in non-compliance of any federal or state law or regulation requiring affirmative action employment practices, the College may vary from these provisions as necessary to comply with such laws and regulations.