

Personnel Handbook 2019-2020



Mesalands Community College

911 South Tenth Street
Tucumcari, NM 88401
(575) 461-4413

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Approved by the Board of Trustees, October 9, 2018
Approved by the Board of Trustees, August 20, 2019

PERSONNEL HANDBOOK ACKNOWLEDGEMENT

I have received and will review in its entirety a copy of the 2019-2020 Personnel Handbook.

I understand that the Personnel Handbook is intended to provide eligible employees a description of the employment practices at Mesalands Community College and that the Personnel Handbook can be withdrawn, revised or amended at any time at the discretion of the Board of Trustees.

I further understand that this Personnel Handbook supersedes all previously adopted Personnel Handbooks and now governs the employment relationship between myself and Mesalands Community College.

If I have any questions about the contents of the Personnel Handbook or need clarification in regards to the policies contained in the handbook I will direct those to the Office of Human Resources.

Employee Signature

Date

Employee Name (printed)

EQUAL OPPORTUNITY NON-DISCRIMINATION/ NON-RETALIATION STATEMENT

Mesalands Community College is committed to the policy of equal opportunity in employment and education regardless of race, color, ancestry, religion, national origin, sex, age, physical or mental disability, serious medical condition, veteran status, spousal affiliation, sexual orientation, gender identity or any other basis prohibited by federal, state or local law.

In compliance with Titles II, VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, and Section 402 of the Vietnam Era Veteran's Readjustment Act of 1974, the New Mexico Human Rights Act and any other applicable federal, state and local laws, Mesalands Community College does not discriminate against any applicant, employee or student. This policy covers admission, access, and service in College programs and activities, and application and treatment in College employment. This policy also applies to all aspects of employment, including but not limited to hiring decision, promotions, training, pay, benefits, layoffs, discipline and terminations. In addition, it continues to be the policy of Mesalands Community College to maintain a working environment free of discrimination and harassment.

Mesalands Community College also strictly prohibits any form of retaliation against an employee who in good faith makes a complaint, raises a concern, provides information or otherwise assists in an investigation or proceeding regarding any conduct that he or she reasonably believes to be in violation of the policies set forth in this Personnel Handbook.

This policy is designed to ensure that all employees feel comfortable speaking up when they see or suspect illegal or unethical conduct without fear of retaliation. It is also intended to encourage all employees to cooperate with Mesalands in the internal investigation of any matter by providing honest, truthful and complete information without fear of retaliation.

Inquiries regarding equal opportunity policies or the filing of complaints may be directed to: Human Resources Office, Mesalands Community College, 911 South Tenth Street, Tucumcari, NM 88401; (575) 461-4413.

NOTE: Mesalands Community College makes reasonable accommodations to allow qualified applicants and employees with disabilities equal opportunity for employment and qualified students that have the ability to benefit, equal educational opportunities.

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SECTION 1

ABOUT MESALANDS COMMUNITY COLLEGE

MESALANDS COMMUNITY COLLEGE'S MISSION AND GOALS – 1.1

MISSION

Mesalands Community College is an institution of higher education that promotes student learning through quality education and services while fostering personal growth, leadership and opportunity to a culturally diverse community.

GOALS

The goals of Mesalands Community College are to provide:

- An environment where learning is appreciated, encouraged, and assessed.
- Academic and technical programs for qualified individuals to enhance their lifelong educational opportunities with an emphasis in a general core base of knowledge.
- Accessible, multi-faceted services to qualified participants.
- Opportunities to develop leadership skills and achieve personal growth by valuing academic and social responsibility.
- Quality community service programs responding to the diverse needs of the region.

PURPOSE OF THE HANDBOOK – 1.2

This handbook is intended to give eligible employees a description of the employment practices at Mesalands Community College. This handbook has been approved by the Board of Trustees and is administered by the College administration, and may be withdrawn, revised, or amended at any time at the discretion of the Board of Trustees. This handbook supersedes all previous Mesalands Community College employee handbooks.

The primary purpose of this handbook is to describe policies and benefits applicable to classified and unclassified full-time and part-time employees. Questions concerning your employment not answered in this handbook should be directed to your immediate supervisor or the Human Resources Office. The administration reserves the right to change procedures as circumstances dictate.

SECTION 2

HOW WE ARE ORGANIZED

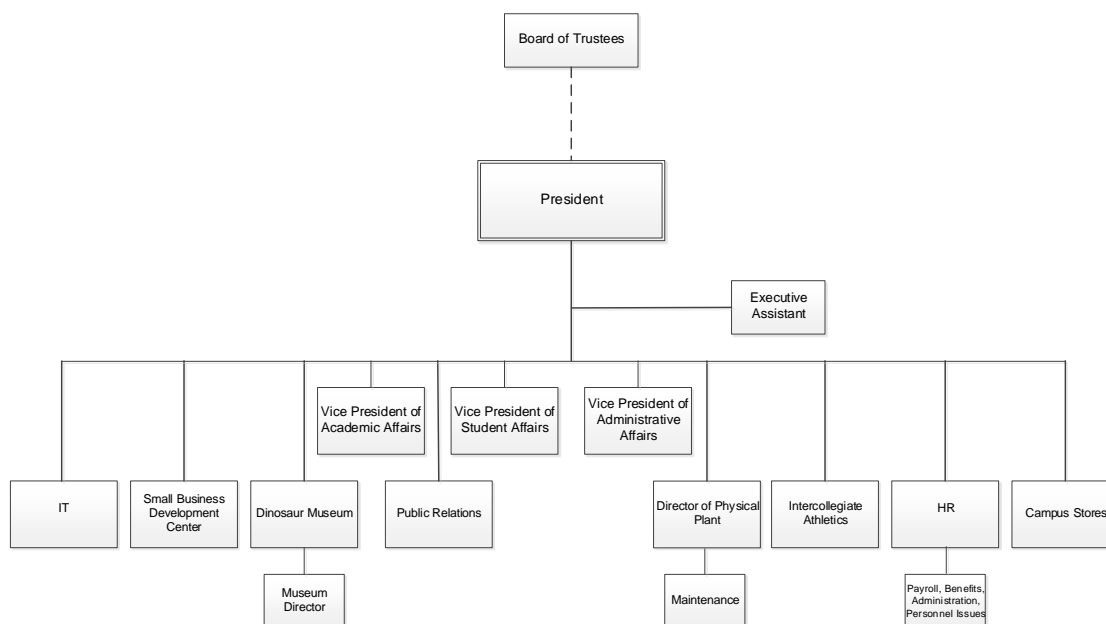
BOARD OF TRUSTEES – 2.1

Mesalands Community College is independently governed by an elected board of trustees. The Board of Trustees is comprised of five members, one elected from each of the five districts identical to those of the Tucumcari Municipal School District No. 1 of Quay County, New Mexico. However, once elected, Trustees collectively represent the entire population of the District, not the citizens of the District by sub-divisions which elected them. The Board normally meets on the third Tuesday of every month at 5:30 p.m., in the Mesalands Community College Board Room. All regular Board meetings are open to the public and are announced in accordance with the New Mexico Open Meetings Act.

PRESIDENT AND CABINET – 2.2

The President is hired by and reports directly to the Board of Trustees. The President's Executive Team consists of the President, and Vice Presidents. The President's Executive Assistant and Head Rodeo Coach report directly to the President. The Mesalands Community College Organizational Chart follows:

Figure 1 President's Division



PARTICIPATORY INPUT – 2.3

Mesalands Community College subscribes to the belief that the faculty, staff, and students should contribute and assist in formulating policies and procedures for the College, subject to the approval of the administration and, if necessary, adoption by the Board of Trustees. To implement this belief, The Executive Team meets weekly. Members of the Executive Team are to meet with their reports to both receive information and share information and decisions and discuss both in an open and cordial manner regularly as is practical. In addition, College standing committees have been formulated, the number of which will depend upon the needs of the institution from time to time. Additionally, *ad hoc* committees or task forces may be formed as needed. Appointments to College standing committees are made by the appropriate member of the Executive Team. Minutes of the standing committees and various other meetings are posted for easy review by employees. In addition to the opportunities to serve on the standing committees reviewed below, the strategic planning process includes opportunities for employee participation.

STANDING COMMITTEES – 2.3.1

ACADEMIC STANDARDS AND ISSUES COMMITTEE

Purpose

The Academic Standards and Issues Committee exists as a regular standing Committee of the Academic Affairs Division. This committee, acting in an advisory capacity, will be responsible for reviewing and evaluating proposals that impact academic standards and issues. The Academic Standards and Issues Committee will present to the Vice President of Academic Affairs recommendations on policies, regulations, and procedures that promote institutional scholarship.

Committee Composition

This committee is comprised of three members: two faculty members and one professional from Student Affairs. Committee appointments are made by the Vice President of Academic Affairs annually. The Vice President of Academic Affairs will appoint a Committee Chair annually.

Committee Operations

1. A quorum shall consist of two-thirds (two) of the members. Due to the relatively small number of members on the committee, if any member cannot be present for a scheduled meeting, he or she should contact the Chair, who will attempt to reschedule the meeting at a time all members can be present.
2. When practical, the committee will call upon College personnel who are involved with the issue to serve as resources concerning the matters.
3. The committee shall follow *Robert's Rules of Order*.
4. Issues may be brought to the committee through the following channels:
 - a. Referrals from Vice Presidents,
 - b. Referrals from Faculty.
 - c. Referrals from President.
 - d. Student referrals shall be directed to the committee only with the support of the Vice President of Student Affairs.

5. The review process will be as follows:

- a. All proposals should be submitted on the committee's Proposal Form to the Committee Chair at least two weeks prior to the requested meeting. The proposal should include a brief summary of the issue, any relevant background information, and recommendations, if desired.
- b. A representative for the proposal should be present at the meeting to present the issue to the committee and should be prepared to answer any questions the committee might have concerning it.
- c. The Committee will take the proposal under consideration and make its written recommendations to the Vice President of Academic Affairs within two weeks after the review meeting. The originator of the proposal will also receive a written response to the committee's decision within two weeks.
- d. Recommendations submitted to the committee not falling under this committee's jurisdiction. will be returned to the originator for presentation to the appropriate committee.

6. The approval process will be as follows:

- a. Academic issues and/or recommendations are presented to the committee.
- b. Committee formulates a recommendation.
- c. Vice President's approval.
- d. Board's approval, if necessary (at the President's discretion).

7. Emergency approval:

When an academic issue surfaces that needs immediate action and normally falls within the committee's jurisdiction, the Vice President of Academic Affairs shall establish an interim policy which will remain in effect until the Committee has an opportunity to explore the issue and make a recommendation.

Scheduled Meetings

The Academic Standards and Issues Committee meets once a month during the months of September, November, February, and April. Specific dates and times will be announced. Special meetings may be called and announced as needed.

CURRICULUM COORDINATING COMMITTEE

Purpose

The Curriculum Coordinating Committee exists as a regular standing committee of the Academic Affairs Division. Acting in an advisory capacity, the Curriculum Coordinating Committee will review and evaluate the curriculum. In addition, this committee will assist in the review of both academic and technical programs through an intermittent review process while safeguarding the mission of Mesalands Community College.

Functions

1. Review and recommend to the Vice President of Academic Affairs action upon new or modified credit-bearing courses and programs of study.
2. Provide for structured development and revision of courses by defining the process for approving and disapproving Curriculum Review Proposals.
3. Review curricula offered by the institution as directed.
4. Review program proposals and revisions, and grant proposals when they involve course development and academic programs.
5. Assist in the identification, development, and implementation of an academic review process.
6. Evaluate curriculum proposals to insure that they do not duplicate existing courses or programs.
7. Control proliferation of course offerings.
8. Ensure harmony with existing curriculum offerings, resources, and qualified personnel.
9. Ensure quality through academic program review.

Committee Composition

This committee is comprised of three members: two faculty members and one professional from Student Affairs. Committee appointments are made by the Vice President of Academic Affairs annually. The Vice President of Academic Affairs will appoint a Committee Chair annually.

Committee Operations

1. The Curriculum Coordinating Committee will review and recommend to the Vice President of Academic Affairs the action taken by the committee on new or revised credit-bearing courses and programs of study.
2. The Curriculum Coordinating Committee will allow for the development and revision of course offerings through an organized system, based on a clearly defined process of approving and disapproving curriculum review proposals.
3. When directed, review the College's curriculum offerings.

4. Review program curriculum proposals and revisions.
5. The Curriculum Coordinating Committee will aid in the identification, development, and implementation of an academic review process.
6. Through the evaluation of curriculum proposals, the Curriculum Coordinating Committee will verify that such proposals do not replicate current courses or programs of study.
7. A quorum shall consist of two of the members or a two-thirds majority. If a committee member cannot attend a meeting, the member should contact the Committee Chair so the meeting can be rescheduled.
8. The committee shall follow *Roberts Rules of Order*.
9. All curriculum proposal requests should be initiated by a full-time faculty member with the respective Vice President of Academic Affairs' approval. Adjunct faculty and professional staff may make curriculum proposals with the support of a full-time faculty member and/or Vice President of Academic Affairs.

10. The review process is as follows:

Following approval of course objectives by the Student Learning Assessment Committee:

- a. Submit all proposals to the Curriculum Coordinating Committee on the Curriculum Change Request Form and all supporting documentation requested on the form, to the Committee Chair one week prior to the requested meeting.
- b. A representative of the proposal must be present at the meeting in order to present and defend the proposal to the committee.
- c. The committee will consider the proposal and make a written recommendation to the Vice President of Academic Affairs. The requester of the proposal will receive a response of the committee action. Any recommendation or proposal submitted to the committee that does not fall under the committee's jurisdiction will be returned to the originator for presentation to the appropriate committee.

11. The approval process will consist of the following:

- a. Curriculum proposals and program reviews are presented to the Committee.
- b. Committee recommendation.
- c. Approval of the Vice President of Academic Affairs.
- d. President's approval.
- e. Board's approval if necessary (if a new major or degree program, or at the discretion of the President).

12. Emergency approval:

When a curriculum issue arises that needs immediate action and would normally fall within the committee's area of expertise, the Vice President of Academic Affairs shall establish an interim policy that will remain in effect until the committee has an opportunity to review and evaluate the issue and make a recommendation.

Scheduled Meetings

The Curriculum Coordinating Committee meets once a month during the months of September, November, February, and April. Specific dates and times will be announced. Special meetings are called and announced as needed.

STUDENT LEARNING ASSESSMENT COMMITTEE

Purpose

The Student Learning Assessment Committee exists as a regular standing committee of the College. The committee is charged with planning for, and subsequently overseeing the implementation of institution-wide assessment, of student academic achievement.

Committee Composition

The committee is composed of nine members, including the Vice President of Academic Affairs, three full-time faculty members, two professional staff/adjunct faculty members, two students, and the Director of Institutional Effectiveness and Research. Committee appointments are made annually by the Vice President of Academic Affairs, who will also appoint a Committee chair annually.

Committee Operations

1. The committee will enter into an ongoing dialog with the College community about the assessment of student academic achievement.
2. As a result of this dialog, the committee will design annually a plan for the assessment of student academic achievement at the institution and oversee the implementation and continuous re-evaluation of the plan.
3. The committee will enhance the knowledge of the faculty, staff, and students of the College about the theory and practice of the assessment of student learning.
4. The committee will facilitate and implement the development of feedback loops, and information dissemination about the ongoing process of assessment at the College through various media, including the bi-monthly *Assessment News* and semester and annual reports.

5. The committee will work with other committees on campus, particularly the Executive Team, the Curriculum Coordinating Committee, and the Academic Standards and Issues Committee to ensure that the assessment of student academic achievement is embedded throughout the institution.

Scheduled Meetings

Meetings are scheduled twice a month or as needed, and faculty are encouraged to attend. The Student Learning Assessment Committee has joint meetings as needed with the Faculty Council for information exchange and to facilitate faculty feedback into the assessment process.

TECHNOLOGY COMMITTEE

Purpose

The Institutional Technology Committee (ITC) of Mesalands Community College, a regular standing committee, seeks to promote the effective use and sustainability of information technology (IT) in the instructional, research, and administrative activities of the College. The ITC identifies and recommends new and emerging IT-based services necessary in the fulfillment of the College's mission.

In order to achieve its stated purpose the Committee performs the following functions:

- Provides advice and recommendations to the College's administration concerning IT strategic directions, operating policies, and faculty and staff IT needs.
- Maintains liaison with the College community to provide a forum for the expression of views and ideas concerning IT services, facilities, and needs.
- Maintains relationships with other College committees that deal with IT related issues.
- Reviews and makes recommendations for approval to the College's administration for purchasing of technology equipment and supplies across the College.
- While it is not the purpose of this committee to solve problems with IT implementation, it is appropriate for the committee to serve as a liaison for any continuing problems when resolution through normal channels has not been successful.
- Occasionally, the committee may be requested to consult on curricular issues involving technology.

Committee Composition

This committee is comprised of nine members: four faculty members, appointed by the Vice President of Academic Affairs, and five staff members, appointed by the President, with the intent of representation from a diverse number of academic disciplines and operational divisions. The President and Vice President of Academic Affairs will serve as *ex officio* members.

Role of Individual Members

1. Reviews relevant materials prior to committee meetings.
2. Provides feedback as both an individual department and college-wide representative.
3. Attends all meeting of the committee and sub-committees as appropriate.
4. Participates in forwarding the purpose of the committee.
5. Actively and positively participates in the work of the committee.

Role of the Chair

1. Presides over all meetings of the Committee.
2. Notifies members of meetings.
3. Prepares agenda for each meeting and distributes pre-meeting information to committee members.
4. Forwards committee recommendations to the College Administration.
5. Responsible for ensuring that meeting minutes are taken and posted.

Committee Operations

Meeting Protocols

1. A quorum shall consist of two-thirds (six) of the members. The Chair of the committee will be a full-time faculty member and will vote only in the case of a tie.
2. The committee shall follow *Robert's Rules of Order*.
3. The committee may request the presence of College personnel to provide additional information, if necessary, in regards to actions being brought to the committee.

Technology Purchases

1. The purchase approval process will be as follows:
 - a. All purchase requisitions should be submitted in hard copy form to the Committee Chair at least two days prior to the meeting. The purchase requisition(s) should be filled out completely and any quotes or supporting information must also be provided.

- b. The committee members will review each purchase requisition during the monthly meeting and cast their vote on each purchase requisition presented for approval.
- c. The originator(s) of the purchase requisition will be notified of the committee's decision within one day of the meeting.
- d. State and College purchasing and procurement policies will be used in cases of conflict with the above.

2. The approval process will be as follows:

- a. Immediate Supervisor
- b. Technology Committee
- c. President
- d. Board approval for purchases \$7,500 or greater.

Scheduled Meetings

The Technology Committee meets monthly. Specific dates and times will be announced by the chair. Special meetings may be called and announced as needed. Minutes of all meetings shall be recorded and distributed in a timely manner.

FACULTY COUNCIL

The Faculty Council is designed to provide a vehicle in which faculty can discuss educational issues with the Vice President of Academic Affairs. The council includes all faculty and adjunct members and meets twice each semester and as needed. The Faculty Council meets once a month during the months of September, November, February and April. Specific dates and times will be announced. Special meetings are called and announced as needed.

FACULTY SENATE

The Faculty is the foundation of student learning, providing excellence in teaching, assessment, research and service. All of these things contribute significantly to the quality and reputation of the College. The interests of the entire academic enterprise are best served when the Faculty's expertise and skills are brought to bear in cooperative participation in the governance of the College. Specifically, the Faculty Senate is a primary advisory body to the President on policy matters affecting faculty, student learning, academic enrichment, and the operations of the College.

INSTITUTIONAL EFFECTIVENESS AND RESEARCH COMMITTEE

Purpose

The Institutional Effectiveness and Research and Planning Committee is in charge of monitoring the College's Institutional Research functions and reviewing all performance data for the College, along with all matters related to human subjects and Institutional Review Board (IRB) issues as needed, providing advice and council on documents such as any College survey instruments. The Committee also assists the President's office in tracking key performance indicators associated with the Mission, Vision and Strategic Plan, as directed.

Committee Composition

The committee is composed of eight members, including the President of the College (*ex officio*), two full-time faculty members, four professional staff, and a support staff member. The Director of Institutional Effectiveness and Research chairs the Committee, and a non-voting secretary is present at all meetings to record the minutes. Appointments to this Committee are made by the President of the College.

Committee Operations

The committee reviews, and makes recommendations regarding all survey instruments intended for use by the College, faculty and student research projects. The Committee reviews and implements the necessary collection of data in accordance with the American Association of Community College's Thirteen Core Indicators of Effectiveness, which is central to the College's Institutional Effectiveness Plan.

Scheduled Meetings

Meetings are scheduled once per semester, and as needed. Meetings are open to all interested faculty and staff.

STUDENT AFFAIRS COMMITTEE

Purpose

The Student Affairs Committee exists to make recommendations on issues which have a direct impact on student life. These matters include: (1) College facilities and College services, such as housing, student parking, food services, student activities area, etc.; (2) student activities; (3) College fees and business office procedures affecting students; (4) student codes and behavior while on campus; (5) graduation and convocation ceremonies; (6) scholarships and awards; (7) course registration process; and (8) student development activities including, but not limited to, counseling, job placement, retention, and services.

Committee Composition

The committee is composed of the Vice President of Student Affairs, one faculty member, one professional member, and two student body members (one of which will be the president of the College governing student body, and one of which will be an individual appointed by the Vice President of Student Affairs).

Committee Operations

Anyone wishing to make a recommendation to the committee, should submit a Committee Proposal Form within a reasonable amount of time. Individuals may request, or be requested to attend committee meetings in order to present said recommendations. The committee members will determine if the issue is appropriate for Student Affairs Committee consideration, or if it should be referred to another campus group or office.

If the committee considers the proposal, a written recommendation will be submitted to the Vice President of Student Affairs as well as to the originator of the proposal.

Allow at least two weeks for scheduling a meeting, discussion, recommendation to proper personnel, and approval by said personnel.

Scheduled Meetings

Committee meetings shall be held once per semester; however, special meetings may be called as needed. Open meetings shall be called at the discretion of the committee, and shall be announced to the College community accordingly.

STUDENT SUCCESS COMMITTEE

Purpose

The Student Success Committee exists as a Standing Committee of the College. The Committee is charged with identifying at-risk students, and anticipating their needs while connecting them to appropriate resources and support early, and continually in their academic careers with the ultimate goal of improving student success.

Committee Composition

The Committee is comprised of the Director of Career Services, Persistence and Student Success (Chair), Retention Specialist, Director of Financial Aid, Director of Enrollment Management, Director of Educational Services Center, Human Resources Specialist, Math Success Specialist, two (2) full-time faculty members, STEM tutor, and Ex officio members (President, Vice President of

Academic Affairs, Vice President of Student Affairs, and Vice President of Administrative Affairs).

Committee Operations

1. Establish reliable predictors to identify students at-risk for non-completion early enough, so appropriate interventions can help students recover.
2. Utilize existing early warning systems to identify students at-risk for non-completion.
3. Identify intentional, intensive, structured, and proactive interventions, and/or referral sources to improve student success.
4. Develop proactive advising pathways, and maximize College resources to support persistence and completion of at-risk students.
5. Facilitate information sharing and coordination among stakeholders responsible for the recognition, and application of various services necessary to improve student success.

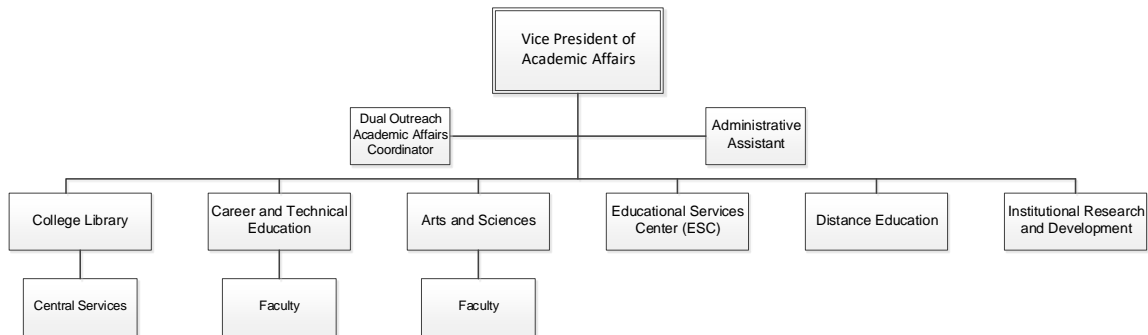
Scheduled Meetings

Committee will meet every two weeks during the fall, spring, and summer semesters as well as immediately after key dates, i.e., dates aligned with existing early warning initiatives such as two-weeks into the semester, TLC students, midterms, etc.

ACADEMIC AFFAIRS DIVISION – 2.4

The Academic Affairs division is led by the Vice President of Academic Affairs, who is a member of the President's Executive Team and reports to the President. The Academic Affairs functional organizational chart follows:

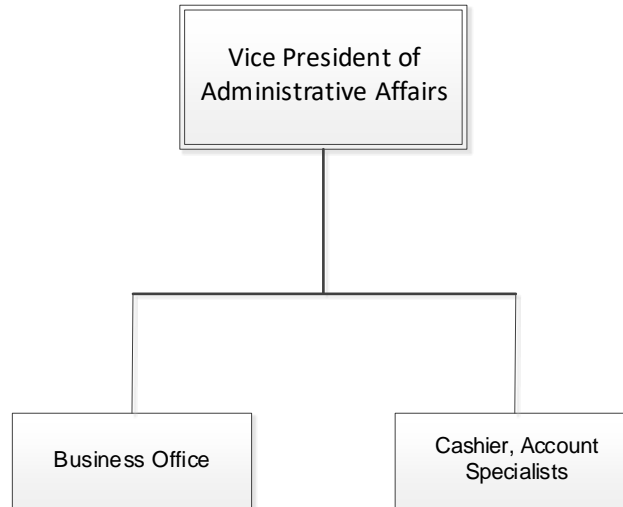
Figure 2 Academic Affairs Division



ADMINISTRATIVE AFFAIRS DIVISION – 2.5

The Administrative Affairs Division is led by the Vice President of Administrative Affairs who is a member of the President's Executive Team and reports to the President. The Administrative Affairs functional organization chart follows:

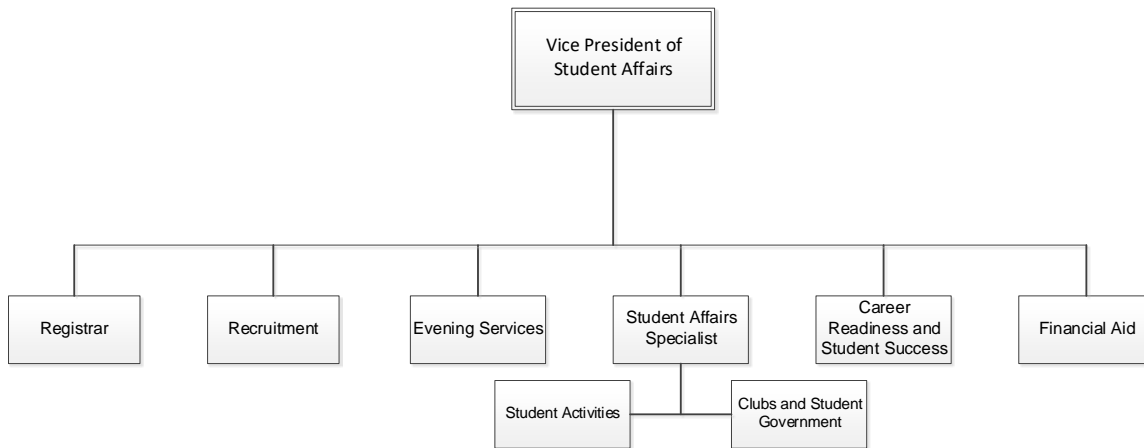
Figure 3 Administrative Affairs Division



STUDENT AFFAIRS DIVISION – 2.6

The Student Affairs Division is led by the Vice President of Student Affairs who is a member of the President's Executive Team and reports to the President. The Student Affairs functional organizational chart follows:

Figure 4 Student Affairs Division



SECTION 3

JOINING US

SELECTION OF NEW EMPLOYEES – 3.1

“Administrative Procedures for Position Authorization, Search, Screening, and Selection” (Document) is available in the Human Resources Office. Applicant screening is a process using objective criteria as outlined in the Document. The President will interview all job candidate finalists, and approve the hiring for all positions on campus.

NEPOTISM – 3.2

The practice of nepotism is prohibited. Nepotism is the practice of giving preferential treatment to near relatives in the areas of employment including, but not limited to, selection, benefits, pay, promotion and discipline. Near relatives are defined as spouse, parent, children, siblings, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law or son-in-law

Near relatives will not work in the same department when there is a supervisory relationship between them.

Where there is a change in assignment that leads to the supervision of an employee by a near relative, one of the employees will be transferred to another department if possible. If transfer is not possible, one of the employees may be terminated.

No person may be employed who is a near relative of a current member of the Board of Trustees.

EMPLOYEE CLASSIFICATION – 3.3

Exempt

Exempt personnel are at-will employees who serve at the discretion of the Board of Trustees. Exempt personnel include the President, Vice Presidents, department directors, temporary employees, adjunct faculty, and part-time employees working less than 20 hours per week. Exempt employees do not have grievance rights, and are not subject to the progressive discipline, and grievance procedures identified in Section 9 of this handbook. Some exempt

employees, as further explained in this handbook, do not receive employee benefits.

Non-exempt

Non-exempt employees are those not identified in the previous paragraph as exempt. All employees who are non-exempt have grievance rights, and are subject to the progressive discipline and grievance procedures identified in Section 9 of this handbook.

TYPES OF EMPLOYMENT – 3.4

REGULAR EMPLOYMENT – 3.41

Regular employees are full-time or part-time staff, and faculty who are selected through the competitive hiring process.

FULL-TIME STAFF AND ADMINISTRATION

A full-time employee is one who works 30 or more hours per week. In the case of employees on less than 12-month contracts full-time is as specified in the employee's contract or letter as appropriate.

PART-TIME STAFF AND ADMINISTRATION

A part-time employee is one who works up to 20 hours per week.

FULL-TIME FACULTY

A full-time faculty member is one who works a 170-day (or more) contract.

TEMPORARY EMPLOYMENT – 3.4.2

The President, or appropriate Vice President may hire employees on a temporary basis without Board approval. There is no commitment expressed, or implied to renew or extend the employment of any temporary employee. Temporary employees are exempt as defined in Section 3 of this handbook, and the term of employment is less than six months, 20 or more hours per week. Temporary employees are not on contract and do not receive benefits. Participation in educational retirement and retiree health care is required. Temporary employees do not have grievance rights, and are not subject to the disciplinary and grievance procedures identified in Section 9 of this handbook.

Adjunct instructors are considered temporary employees.

PART-TIME EMPLOYMENT – 3.4.3

The appropriate Vice President may approve the hiring of individuals for part-time employment. Part-time employees are regularly scheduled to work less than 20 hours per week. Part-time employment is on a continuing basis. Part-time employees are not on contract and do not receive health care benefits or accrue leave. Part-time employees receive paid holidays as listed in Section 5.6 of this Handbook. Part-time employees do not have grievance rights and are not subject to the disciplinary and grievance procedures identified in Section 9 of this handbook. Part-time employees who work less than 20 hours per week on a sporadic basis will be termed "pool" employees.

IMMIGRATION REFORM AND CONTROL ACT – 3.5

In compliance with the Immigration Reform and Control Act, all newly hired employees (including off-site employees) are required to present documented proof, as provided for in Form I-9: Employment Eligibility Verification, of identity and eligibility to work in the United States. Employees will be required to furnish this information within three (3) working days of their hire date; failure to do so will result in immediate termination.

Mesalands Community College participates in the E-Verify and New Mexico Hires programs.

CONDITIONS OF EMPLOYMENT – 3.6

ASSIGNMENT AND TRANSFER – 3.6.1

Assignment shall be based upon the qualifications of the employee and the needs of the College. Changes in assignment may be made at the discretion of the President or other administrative personnel.

EMPLOYMENT STATUS CHANGES – 3.6.2

Discretionary Powers to Alter, Change, or Reduce Contractual Employment

The scope of employment is commensurate with the requirements of the instructional program or operating division, and shall be subject to Mesalands Community College's sole discretion with regard to classification of positions, program needs, funding limitations, job assignments, determinations of reductions-in-force, any other changes in programs offered by the College, and terms and conditions of employment.

The President will determine the course(s) of action necessary to ensure the best utilization of College personnel. Circumstances may require or make it more advantageous to reassign personnel, and/or reclassify positions. The

reclassification of a position, and/or reassignment will normally be made prior to the beginning of the fiscal year.

The Mesalands Community College Board of Trustees, upon recommendation of the President, will determine the course(s) of action necessary to assure the College's ability to meet its financial obligations. Economic conditions at Mesalands Community College may require a reduction in salary, a reduction in work force or both. Should the Board of Trustees determine a reduction in work force is necessary, the notification deadlines as set forth in Section 3 of this handbook shall be set aside.

RENEWAL OF EMPLOYMENT – 3.6.3

Renewal of Employment Annually

There is no commitment, expressed or implied, to renew or extend the employment of any employee. Annually, the President will approve the names of College regular employees for renewed employment contracts or appropriate letters as appropriate.

The renewal of employment is contingent upon the needs of the College (including, but not limited to, such factors as availability of funds, enrollments, marketability of programs and program graduates, and other factors which impact the ability of the College to provide quality higher education to its students, and the past performance of the employee).

Grant-funded Positions

The continuation of grant-funded positions is contingent upon grant funds being available to Mesalands Community College.

Any employee may be suspended or dismissed at any time during the fiscal year subject to Mesalands Community College's formal discipline/grievance procedures. See Section 9 of this handbook.

NON-RENEWAL OF EMPLOYMENT – 3.6.4

The College owes no further contractual obligation to any employee at the expiration of his/her contract or appointment letter. No employee, including the President, has any authority to give express or implied assurance of employment beyond any current contract period to any employee. For those employees hired on the basis of restricted funding, notification of intent to offer employment renewal is contingent upon receipt of funding from the outside source.

1. Upon determination by the President, or appropriate Vice President, that an employee's employment is not to be recommended for renewal, the

President, or appropriate Vice President, shall give written notification no later than:

- a. March 1 for Vice Presidents,
 - b. March 1 for faculty instructors, and
 - c. June 1 for all others.
2. This notification is to be delivered in person by the College President, or appropriate Vice President, or sent by certified mail to the last known address of the employee.

NOTE: This notification procedure shall be set aside should the Board of Trustees determine a reduction-in-force is necessary due to the economic conditions related to the College's ability to meet its fiscal obligations. This provision does not apply to an employee who has been suspended.

Reasons for Non-renewal

The reasons for the determination not to renew the employment contract need not be stated.

LAY-OFFS AND REDUCTION TO PART-TIME STATUS – 3.6.5

Because Mesalands Community College's programs must be expanded and reduced on the basis of, among other things, funding from the New Mexico Legislature approved by the Higher Education Department, the needs of industry, and fluctuations in enrollments, declining enrollment or insufficient student enrollment in a program, it is sometimes necessary to reduce the number of employees and/or change employees from full-time status to part-time status.

Persons retained as regular employees will be selected according to the skills needed to operate the programs involved, with length of service given consideration where more than one employee has the required skills and same level of job performance. The employee's job performance record and evaluations will be considered in the decision of which employees to retain.

DEMOTIONS – 3.6.6

A regular employee may be demoted to a vacant position in a different grade for which he/she is qualified when the employee would otherwise be terminated because his/her position is being abolished due to a lack of funds or lack of work and there are no appropriate vacancies at the same job grade or when the employee voluntarily requests such a demotion. Demoted employees will receive a reduction in pay commensurate with the position.

INTERNAL APPLICANTS – 3.6.7

An employee who applies for an open position at Mesalands Community College must be aware that his/her performance in the current position will be considered. Hiring decisions are not grievable (see Section 9 of this handbook).

PERFORMANCE EVALUATIONS – 3.7

The performance of each employee may be evaluated continuously and a formal evaluation report may be prepared by an immediate supervisor for review prior to consideration or recommendation that a new contract for reemployment be offered to the regular employee. The employee is provided an opportunity to review, discuss and offer additional comments on the evaluation report, but will be required to sign the evaluation report acknowledging that the employee has read it and received a copy of the report. If the employee so desires, he/she may submit a written and signed response to the evaluation, which will be attached to the evaluation filed with the Human Resource office.

PERSONNEL FILES – 3.8

Inspection. All information or material placed in the employee's personnel file and originating within Mesalands Community College shall be available to the employee upon request for inspection with at least three days' notice to Human Resources and at such time as an appointment can be made with Human Resources. At no time will the personnel file be allowed to be taken by the employee out of the Human Resources office.

No anonymity. No anonymous or unsigned information may be placed in the employee's file maintained in the Human Resource office.

Examination of derogatory material. Any information or materials which are derogatory to an employee's conduct, service, character or personality shall not be placed in an employee's file maintained in the Human Resources office unless the employee has been given a copy of the information or material.

Right to respond. The employee has the right to respond in writing to anything placed in the file and have such response placed with the material to which the response relates. The response must be made within five (5) working days of notification to the employee that such material has been placed in the file.

Confidential materials. All references and information originating outside Mesalands Community College and information obtained within Mesalands Community College in the process of evaluating candidates for initial and continuous employment are considered confidential. These materials are kept separate from the personnel file and are not available for public inspection.

Confidentiality of employee information. No employee of Mesalands Community College may furnish lists of names and addresses or telephone numbers of employees to anyone, other than employees with the bona fide need to know, without the consent of the employee except as required by law.

OUTSIDE EMPLOYMENT – 3.9

Employees shall not engage in any other employment or activity that creates a conflict of interest, interferes with their duties to the College, compromises their ability to discharge effectively their duties, or otherwise adversely affects the performance of their duties. Employees shall disclose in writing to their supervisor and the Human Resources Specialist all employment other than employment with the College.

PROFESSIONAL DEVELOPMENT – 3.10

Mesalands Community College encourages professional development through tuition reimbursement, participation in state and national organizations and promotes attendance at meetings and seminars based on available resources. In some instances, Mesalands Community College courses may be provided to an employee at no cost to the employee when it has been determined by the appropriate Vice President or the President that the course is necessary for the development of specific job-related skills. Selected professional development activities are reported monthly to the Board of Trustees.

COPYRIGHTS AND PATENTS – 3.11

COPYRIGHTS – 3.11.1

Mesalands Community College regards copyrightable material such as, but not limited to, a book, manual, courses designed for distance education, computer programs, musical or dramatic composition, architectural design, painting, sculpture or other comparable work developed by an employee as the property of the employee (author) unless:

1. The material is prepared under a grant or contract with specified ownership;
or
2. The material is prepared as a specific part of the employee's Mesalands Community College assignment to include all materials needed to support course instruction regardless of modality, including videos, syllabi, online instructional content, etc. An employee's general desire to produce occupational or scholarly works is not such a specific Mesalands Community College assignment.

3. Mesalands Community College will claim copyright ownership in the name of the Board of Trustees of Mesalands Community College in those cases where:
 - a. A Mesalands Community College employee creates a copyrightable work in the course of discharging a Mesalands Community College assignment; or
 - b. Mesalands Community College specially orders or commissions a "work for hire"; or
 - c. Mesalands Community College ownership is specified by terms of a gift, grant or contract with an outside party or sponsored program, or other agreement.

In any case in which an employee intends to develop copyrightable work for commercial dissemination, and such employee will make substantial use of Mesalands Community College resources in such project, the employee should consult the President in advance to determine whether and to what extent reimbursement of Mesalands Community College is appropriate.

Reimbursement should be made for such resources as computer time, staff personnel time, supplies, equipment or facilities, but not including the use of library facilities or office space. Reimbursement may be made by assignment of a portion of the royalties produced by the commercial venture, lump sum payment, or any other mutually agreed upon arrangement.

Any dispute regarding copyrighted material, or the amount or method of reimbursement for use of Mesalands Community College resources in preparing copyrighted material, may be appealed from the President to the Board of Trustees. The Board of Trustees will then be responsible for interpreting the copyright policy.

PATENTS – 3.11.2

Mesalands Community College encourages efforts by employees that might result in the creation of intellectual property which may be protectable by patent. Mesalands Community College recognizes that such efforts can be of value both to Mesalands Community College and the employee. Because such effort often involves a combination of employee/Mesalands Community College resources, it is appropriate for Mesalands Community College and the affected employee to have a policy that is mutually beneficial.

Mesalands Community College shall not claim rights to any invention resulting from efforts that are in no way supported by Mesalands Community College, or to which Mesalands Community College's contribution was negligible.

Mesalands Community College shall have the right, title and interest to an invention, including the sole right to file patent applications thereon and the right to waive all or part of such right, when:

1. The invention was conceived or first actually reduced to practice in the performance of work under an agreement with Mesalands Community College, or under an agreement of Mesalands Community College with any third party;
2. The invention was directly related to the employee's duties at Mesalands Community College; or
3. The invention was made with more than a negligible contribution of Mesalands Community College funds, facilities, personnel, equipment or technical information.

Each invention shall be submitted to the President for a determination as to ownership rights according to the following procedure:

1. The inventor shall report the invention in writing as soon as possible after work on the project commences and preferably within two months after conception or first actual reduction to practice, whichever occurs first. The report shall include a description of the invention, a statement describing the facts and circumstances of the invention process, and a written statement of concurrence from the appropriate supervisor or director.
2. The President shall make an official determination as to ownership rights within 60 days of receipt of the information in (1) above.
3. In the event the employee disagrees with the determination of the President, the employee may appeal the President's decision in writing within 20 working days to the Board of Trustees. The Board of Trustees will take into consideration all relevant facts and circumstances and will issue a determination on the employee's appeal within 60 days of receipt of the appeal.

It is within the sole discretion of Mesalands Community College to file an application for a patent on any invention in which it has ownership interest. Likewise, it is within the sole discretion of Mesalands Community College to waive all or part of its rights to any invention, including the filing of an application for patent.

The terms and conditions of any waiver by Mesalands Community College of any of its rights to an invention shall be a matter of negotiation between Mesalands Community College and the employee, and shall be determined on a case-by-case basis.

If Mesalands Community College determines to file a patent application in the United States or in foreign countries, the inventor shall at all times cooperate as requested by Mesalands Community College to assist in the preparation, filing

and prosecution of patent application and the issuance and maintenance of any patents issuing. Costs relating to the patent application shall be borne by Mesalands Community College. Gross revenues received by Mesalands Community College--including option fees, license fees, royalties and commissions of any description--resulting from the exploitation of the invention shall be shared 50% with the employee after deduction of all out of pocket costs incurred by Mesalands Community College in the course of obtaining issuance and maintenance of the patent.

SECTION 4

YOU REPRESENT THE COLLEGE

CONDUCT – 4.1

Institutions of higher education are entrusted with great resources and commensurably great responsibilities. They must meet their mission of teaching and service in ways that truly enrich the community that supports them and truly serve the students, parents, and alumni who in joining the College community become life-long members of the extended College learning family. Mesalands Community College employees play a key role in assuring that high standards of ethical practice is maintained.

Mesalands Community College embraces the values expressed in these Principles of Employee Conduct and expects their observance by all its employees.

College employees are entrusted with public resources and are expected to understand their responsibilities with respect to conflict of interest and to behave in ways consistent both with law and with College Policy.

College employees are expected to be competent and to strive to advance competence both in themselves and in others.

The conduct of College employees is expected to be characterized by integrity and dignity, and they should expect and encourage such conduct by others.

College employees are expected to be honest and conduct themselves in ways that accord respect to themselves and others. College employees are expected to accept full responsibility for their actions and to strive to serve others and accord fair and just treatment to all.

College employees are expected to conduct themselves in ways that foster forthright expression of opinion and tolerance for the view of others.

College employees are expected to be aware of and understand those institutional objectives and policies relevant to their job responsibilities.

The College strives to provide its employees with: a work environment that is professional and supportive; a clear sense of the duties of their job, access to relevant College policies and procedures; and the opportunity to exercise appropriate judgment and initiative in performing duties.

Mesalands expects its employees to follow the law and avoid conduct which reflects poorly on the College.

Language. As a part of appropriate conduct, please refrain from using profane language in your conversations on campus. The use of profane language is not appropriate in a professional setting, is offensive to others, does not set the example we wish to set for our students, and does not enhance the image we wish to represent to the public who may be visiting our campus.

COURTESY – 4.2

Mesalands Community College is a service organization. Because of this, it is the duty of each employee to be courteous to every person who visits our campus--students, parents, alumni, or visitors--and all other employees as well. Public relations is everyone's responsibility. A courteous reception of a prospective student may be all that it takes to help him/her to make the decision to choose Mesalands Community College for his/her education. Courteous treatment of a current student may be all it takes to retain the student.

APPEARANCE – 4.3

These guidelines will be enforced with consistency and fairness by supervisors, divisional Vice Presidents, Human Resources Department and/or the President.

Mesalands Community College expects all employees to exercise appropriate judgment with regard to personal appearance, dress and grooming to be most effective in the performance of their workplace duties. The College recognizes that personal appearance is an important element of self-expression and strives not to control or dictate appropriate employee appearance, specifically with regard to jewelry or tattoos worn as a matter of personal choice.

In keeping with this approach, Mesalands Community College allows reasonable self-expression through personal appearance, unless 1) it conflicts with an employee's ability to perform his or her position effectively or with his or her specific work environment, or 2) it is regarded as offensive or harassing toward co-workers or others with whom Mesalands Community College conducts business and has contact with employees.

DRESS – 4.3.1

Appropriate dress for employees of an institution of higher education shall be defined within three categories: "Business Casual," "Smart Casual" and "Business Informal". Employees of Mesalands Community College shall adhere to "Smart Casual" and "Business Informal" standard. "Business Casual" days will be designated.

Smart Casual and Business Informal Dress:

Slacks, Pants, and Suit Pants - Slacks that are similar to Dockers and other makers of cotton or synthetic material pants, wool pants, flannel pants, pants that match a suit jacket, and nice-looking dress synthetic pants are acceptable. Inappropriate slacks or pants include any that are too informal. This includes jeans, sweatpants, exercise pants, Bermuda shorts, short shorts, shorts, bib overalls, and any spandex or other form-fitting pants such as people wear for exercise or biking.

- **Skirts, Dresses, and Skirted Suits** - Dresses, skirts, skirts with jackets, dressy two-piece knit suits or sets, and skirts that are split at or below the knee are acceptable. Dress and skirt length should be at a length at which you can sit comfortably in public. Short, tight skirts that ride halfway up the thigh are inappropriate for work. Mini-skirts, skorts, sun dresses, beach dresses, and spaghetti-strap dresses are inappropriate for the office.
- **Shirts, Tops, Blouses, and Jackets** - Shirts, dress shirts, sweaters, tops, and turtlenecks are acceptable attire for work if they contribute to the appearance of formal, professional dress. Most suit jackets or sport coats are also desirable attire for the office. Inappropriate attire for work includes tank tops; midriff tops; shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans; halter-tops; tops with bare shoulders or plunging necklines; sweatshirts; and t-shirts.
- **Shoes and Footwear** - Conservative walking shoes, dress shoes, oxfords, loafers, boots, flats, dress heels, and backless shoes are acceptable for work. Athletic shoes, tennis shoes, thongs, flip-flops, and slippers are not acceptable in the office.

Business Casual shall be worn on days of the week designated by Administration. Dress on this day can be defined as dress shirts or Mesalands logo polo's or T-shirts. Khakis, Capri's, or jeans can be worn, however, cannot be torn or have a modern worn look, soiled or tattered for design or acid washed. No flashy prints or inappropriate language or logos on clothing will be permitted.

Appropriate dress for faculty in shop/laboratory and custodial/maintenance personnel shall be defined as clothing that meets reasonable standards of neatness and cleanliness and the safety requirements of a given employee's position.

Dress for Work Study and Peer Tutors should meet reasonable standards appropriate to the area of work. This particular cohort should adhere to standards of dress consistent with the "Business Casual" model when appropriate to their work environment and all above standards provided including those pertaining to body art and piercings.

BODY ART – 4.3.2

Mesalands Community College permits employees to wear jewelry or to display tattoos at the workplace within the following guidelines. Factors that management will consider to determine whether jewelry or tattoos may pose a conflict with the employee's job or work environment include:

1. Personal safety of self or others, or damage to company property.
2. Productivity or performance expectations.
3. Offensiveness to co-workers, customers, vendors or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature.
4. Corporate or societal norms.
5. Customer complaints.

If management determines an employee's jewelry or tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewelry, covering of tattoos, transfer to an alternative position, or other reasonable means to resolve the conflict.

An environment of mutual cooperation, respect, and fair and consistent treatment for all employees is the College's goal. Nonetheless, the College is legally responsible for ensuring that no employees are subject to harassment or a hostile work environment. As an initial step toward resolution of any complaint or offense under this policy, supervisors will be responsible for explaining the policy and answering employee questions. If an agreeable solution cannot be reached at that stage, the Humana Resources Specialist will follow College procedures to resolve the issue.

GETTING ALONG WITH OTHER EMPLOYEES – 4.4

As we get along with those around us, efficiency and satisfaction on the job increases. In getting along with co-workers, consideration for others can go a long way. Punctuality and dependable attendance are important in maintaining good relations with co-workers.

CONFIDENTIALITY – 4.5

Mesalands is governed by the Family Education Rights and Privacy Act of 1974. Employees are expected to maintain confidentiality and not give information to unauthorized persons.

ATTENDANCE AT COMMENCEMENT SERVICE – 4.6

Commencement exercises are held at the end of the spring semester. All faculty are required and staff are encouraged to march in the processional and recessional and wear formal regalia. The graduation of our students is the culmination of the reason Mesalands Community College exists.

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SECTION 5

DAYS AND HOURS OF WORK

WORKING DAY – 5.1

Hours and Days

Full-time employees will generally work eight hours per day. Starting and ending times for an hourly employee's shift shall be designated by the appropriate Vice President. Meal times and durations may vary to ensure coverage during office hours. Employees other than full-time will work as scheduled by the appropriate supervisor. Days and hours worked (including holidays) may vary, particularly at the Museum, and for maintenance/custodial personnel. If an employee is an hourly employee and works more than eight hours in one work day, the extra time must be recorded on his/her timesheet. Working off the clock as an hourly employee is an offense that can lead to termination or other disciplinary action. If you are working more than 40 hours per week, this is considered overtime and must be approved by your immediate supervisor. Please see section 5.2.

Attendance and Punctuality

An employee's regular attendance on the job is important to Mesalands Community College's operation. In the event that an employee is unable to report by their scheduled start-time, the employee is required to notify their immediate supervisor with as much advance notice as possible, but at least within the first half hour of his/her scheduled work time. Employees reporting late are expected to make up the time on the same day and record the differentiation on their time sheet where appropriate. Frequent or unexplained absence(s) from work or tardiness in reporting to work will seriously impair the value of the employee's services to the College and will be considered sufficient cause for termination or other disciplinary action.

Breaks

Employees of Mesalands Community College may take a ten-minute break within the first half of their eight-hour work assignment and a ten-minute break in the second half of their work assignment. Mesalands Community College is not obligated to provide such breaks, but is pleased to provide these rest periods provided the needs and interests of the public and the College are considered before any breaks are taken. All break schedules must be approved by the supervisor.

Break time cannot be accumulated and must be taken in its entirety at the prescribed time. It is not to be used to extend lunch periods or shorten the work day.

TIME SHEETS – 5.2

All employees who are not exempt from the Fair Labor Standards Act must fill out time sheets as per College processes which may be entirely online using the College intranet, paper forms, or both. Time sheets must be verified and signed by the immediate supervisor, and the appropriate Vice President before being forwarded to the Business office. Time sheets are for a one-week period, and are due with all required signatures in the Business office by 3:00 p.m., on Mondays following the week for which time was kept. Time sheet deadlines may occasionally be altered by the Business office. Any time worked in excess of 40 hours per week must be approved on an Overtime/Comp Time Off Form by the supervisor and appropriate Vice President before the work is performed and then the form should be attached to the time sheet for that week. Working in excess of 40 hours in a week without prior approval by the supervisor, and Vice President is sufficient cause for disciplinary action up to and including dismissal.

Part-time

Part-time employees who work 20 hours per week or less should not exceed 20 hours, unless prior approval is obtained by following the overtime approval procedure outlined in the paragraph above.

Absences

All absences should be indicated on the time sheet.

OVERTIME PAY – 5.3

In accordance with the Fair Labor Standards Act (FLSA), non-exempt employees are eligible for overtime pay. Overtime will be paid at one and one-half times the employee's normal rate of pay for hours actually worked in excess of 40 hours from Monday, 12:01 a.m. to Sunday, 12:00 midnight. For the purpose of computing overtime pay or compensatory time off, vacation, holiday, sick or other paid leave is not included in the 40 hours.

FLSA exempt employees (including faculty, administrators, professionals, and supervisors) are not eligible for overtime pay.

ABSENCES – 5.4

APPROVAL/NOTICE – 5.4.1

STAFF

Employees are expected to have approval prior to taking leave. However, occasionally it may be necessary for you to be absent from work as a result of illness, injury, or other personal reasons. In such cases, you are expected to call the designated person in your division (President's executive assistant, or Vice President's administrative assistant) with as much advance notice as possible, but at least within the first half hour of your scheduled work time, and sign the Leave Request Form in the division designee's office immediately upon your return.

FACULTY

Faculty requesting leave must have prior approval and file a Faculty Professional Leave Request with the Vice President of Academic Affairs detailing out-of-class assignments for classes that will be missed. In the case of illness or emergencies faculty should call the administrative assistant for the Vice President of Academic Affairs office at least 15 minutes prior to the faculty member's first scheduled class. You are expected to sign the Leave Request Form in the administrative assistant's office immediately upon your return.

ABSENCE WITHOUT LEAVE – 5.4.2

Failure to Notify

The employee is responsible for notifying Mesalands Community College of absences in the manner stated in this handbook. An absence without the proper notice and approval is regarded as job abandonment and constitutes a resignation by the employee.

The requirement to notify is waived only in the case where the employee is prevented from giving notification, or having someone else notify, due to events beyond his/her control. As a condition for reinstatement, the employee will be required to demonstrate that notification was given as soon as possible.

INCLEMENT WEATHER POLICY – 5.5

Listed below is the Inclement Weather Policy for Mesalands Community College.

1. President (or VP for Academic Affairs if the President is not available), in concert with the Executive Team, will determine if, due to inclement weather:
 - a. Classes are cancelled or delayed
 - b. College is closed
2. The College will try to make decisions that impact cancellations, closures, or delays by 6:00 a.m. or 3:00 p.m.
3. President will contact Director of Public Relations who will contact the media and post announcements on the College website, Facebook, and to answering system.
 - a. Those outlets on the notification list include:
 - i. KTNM/KQAY (Radio) – Tucumcari
 - ii. KOAT (TV) – Albuquerque
 - iii. KRQE (TV) – Albuquerque
 - iv. KFDA (TV) – Amarillo
4. Employees and Students will receive a text message and an email via the Emergency Alert System (EAS). Employees will receive an email via this system.
5. Essential On Campus Staffing:
 - a. Building and Grounds Supervisor (and necessary grounds crew) as determined by the Director of the NAWRTC.
 - b. Technology Staff as determined by the Director of the NAWRTC.

HOLIDAYS – 5.6

Only regular full-time employees on 12 month contracts, regular part-time employees, and other employees designated as eligible in the employment agreement are eligible for paid holidays if the employee is on a pay status, including paid leave status the day before and the day after a holiday. Part-time regular employees will receive four hours of pay for each recognized paid holiday only if they were scheduled to work that holiday. If the employee is only scheduled to work two hours on that day the holiday pay will be for two hours. Days recognized as official employee holidays for the fiscal year are subject to change from time to time and specific dates will be published and distributed to employees. The following holidays are normally observed, and are included on the current Institutional Calendar published by the College.

Table 1 Mesalands Community College Holidays

HOLIDAY	REGULAR FULL-TIME EMPLOYEES (on pay status)	REGULAR PART-TIME EMPLOYEES (on pay status; four hours per day)	FACULTY (not included in contract days)
Independence Day	X	X	X
Labor Day	X	X	X
Day prior, Thanksgiving and day after	X	X	X
Winter Break	X	Two Days	X
Martin Luther King, Jr. Day	X	X	X
Spring Break	X	One Day	X
Spring Friday	X	X	X
Memorial Day	X	X	X

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SECTION 6

COMPENSATION

SALARY – 6.1

HIRING SALARY – 6.1.1

Regular Positions, Including Full-Time Faculty

Education level, academic market by discipline, needs of the College, and experience are considered in determining the salary at the time of hire. The President is authorized by the Board to determine and approve offers.

Adjunct Faculty – Under full, Full, Overfull Class Computation and related Compensation for Adjunct/Overload/Overfull and Independent Study Instruction.

The pay scale for adjunct and overload faculty is approved by the President and is available in the Human Resources office. However, the guiding principles shall apply:

1. A class that is offered is considered viable only after 10 students or more are enrolled;
2. “Under full” classes that have less than 10 students enrolled, will be compensated at the percentage of 10 that are enrolled (e.g. 3 students means 3/10th of the total);
3. The student seating size of a classroom determines the class cap for live instruction;
4. Online classes are considered “Full” when enrollment is at 30 students;
5. Classes for incarcerated students are considered “Full” when enrollment is at 20 students;
6. Full classes will not be split until 10 additional students are added to either Online or Incarcerated student classes, making the classes “Overfull”;
7. When an “Overfull” condition occurs, the faculty will be paid an “Overfull” payment for each student enrollment above the “Full” level;
8. The “Overfull” compensation per student will be equal to the pay for an independent study student;

9. Full-time faculty are expected to be accommodating to the needs of independent study requests by students who have been responsible in adhering to their plan of study, or who have signed up for classes that are at risk of being cancelled due to low enrollment. Faculty may also accommodate the needs of other independent study requests at their discretion. The VP for Academic Affairs has the requisite forms for such requests.

Employee Groups

Regular employees of Mesalands Community College, other than senior administrators, are placed in one of the following groups for determination of salary at the time of hire and the salary cap, which an employee's salary cannot exceed except under the special circumstances stated above:

- Faculty
- Professional
- Custodial/Maintenance
- Secretarial
- Technical/Specialists
- Aides/Clerks

Each job shall be assigned an employment group which includes consideration of essential skills needed and level of responsibility required by the job.

All positions are subject to review annually.

Professional, Faculty, and Adjunct Faculty positions are required to provide the Human Resources office with an official transcript of all degrees earned, before initial compensation will commence.

PAY INCREASES – 6.1.2

Pay increases are contingent upon College funding, experience and satisfactory work performance. You must be performing at the "Average" level, 3.0 or better, on the performance evaluation/appraisal form in order to be eligible for a salary increase. In addition, an employee performing below an "Average" level, 3.0 or better, in two or more sections of their evaluation/appraisal form, is ineligible for a salary increase. The President recommends pay increases to the Mesalands Community College Board of Trustees after considering the College's finances. If the salary increase approved by the Board would cause an employee's salary to exceed the relevant salary cap, the employee will receive only the increase necessary to reach the cap. The Human Resources office will send out a memo notifying employees of any change in pay.

Education

Academic increases are given when a regular employee completes and receives an associates, bachelors, masters or doctorates degree. Academic increases are \$2,000, to the extent that the increase will not exceed the salary cap. Multiple degrees at a given level will not receive an academic increase.

Timing

Academic increases, if any, go into effect once the Human Resources office receives transcripts showing completion of the required degree.

BENEFITS – 6.2

Employees in grant-funded positions are not eligible for benefits that the College voluntarily provides its employees, such as educational benefits, unless the benefit is funded by the grant.

BASIC LIFE INSURANCE – 6.2.1

All part-time employees who work 15 or more hours per week and all regular employees are provided with basic life insurance in the amount of \$50,000 paid for by Mesalands Community College. The level of basic life insurance provided is subject to change and is at the discretion of the Board of Trustees.

HEALTH AND DISABILITY INSURANCE – 6.2.2

Eligibility. Regular employees who work 20 or more hours per week may enroll in medical, dental, vision, and/or long-term disability insurance from carriers awarded contracts through the New Mexico Public Schools Insurance Authority. A portion of the costs as provided by law and approved by the Board of Trustees is paid by Mesalands Community College. The remaining costs are paid by the employee. Information regarding additional insurance coverages available to eligible employees may be obtained in the Human Resources office. The employee pays the full cost of additional coverage.

Affordable Care Act

If you have an offer of health coverage from your employer that meets certain standards, you will not be eligible for a tax credit through Healthcare.gov and may wish to enroll in your employer's health plan. However, you may be eligible for a tax credit that lowers your monthly premium or a reduction in certain cost sharing if your employer does not offer coverage to you at all or does not offer coverage that meets certain standards. If the cost of a plan from your employer that would cover you (and not any other members of your family) is more than 9.5% of your household income for the year, or if the coverage your employer

provides does not meet the "minimum value" standard set by the Affordable Care Act, you may be eligible for a tax credit

Note: If you purchase a health plan through the Marketplace on Healthcare.gov instead of accepting health coverage offered by your employer, then you may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution -as well as your employee contribution to employer offered coverage- is often excluded from income for Federal and State income tax purposes.

Enrollment

Eligible employees may enroll in any or all of the insurance plans within 30 days of employment.

Changes in Personal Status

All employees enrolled in group insurance benefits must notify the Human Resources office by completing the Change Form for insurance of any changes in name, address, marital status, or status of dependents within 30 days of the change in status.

Premiums and Benefits

Current rate and benefit schedules may be obtained from the Human Resources office. The employee's portion of the premium is deducted each pay period. Deductions this month are the premiums for coverage next month.

Leave Without Pay Status

When a regular employee exhausts all accrued leave and is placed on leave without pay status, the employee shall pay the employee's and the employer's share of the insurance premiums, unless the employee is on Family and Medical Leave as discussed in Section 7 of this handbook. Insurance premiums while on leave without pay are due by the 30th of the month prior to the month of coverage.

Claims

An employee who is enrolled in an insurance plan makes claims directly to the insurance company.

Termination of Coverage

An employee who is enrolled in an insurance plan may terminate the insurance at the end of any month by informing the Human Resources office in writing and completing the appropriate change form. However, if premiums are deducted pre-tax (Section 125), changes cannot be made (unless there has been a qualifying event) except annually in September for premiums deducted beginning in October. Vision coverage cannot be dropped during the first two years of enrollment.

VOLUNTARY LIFE INSURANCE – 6.2.3

Regular employees who work 20 or more hours per week, other than student employees, may enroll in voluntary life insurance coverage within the first 31 days of employment with Mesalands Community College. The coverage amount can be one, two, or three times the contract salary. All premiums for voluntary life insurance coverage are paid by the employee.

COBRA BENEFITS – 6.2.4

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

Under COBRA, the employee or beneficiary pays 100% of the cost of coverage at the employer's group rates. Employees or beneficiaries may be required to pay an administration fee.

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

COBRA information may be obtained at <https://nmpsia.com/>.

EDUCATIONAL RETIREMENT – 6.2.5

Regular and part-time employees, except student workers, who work 10 hours or more per week are required to participate in the Educational Retirement Act (ERA) system.

Contributions. The ERA contribution rates are subject to change by legislative action.

Employee. Employees contribute a portion of their total earnings as provided by law. The amount is deducted from each paycheck and is credited to the employee's retirement account quarterly and is refundable if the employee resigns or is discharged prior to retirement. The current scheduled percentage of gross earnings is as follows:

Salary greater than \$20,000 annually - 10.70%

Salary equal to or less than \$20,000 annually; and full-time hourly equivalent of \$9.579 or lower - 7.9%

Employer. Mesalands Community College contributes to the fund. The employer's contribution is not placed in the employee's account and is not refundable to the employee upon resignation or termination. The current employer contribution of gross earnings is as follows:

Salary greater than \$20,000 annually - 13.90%

Salary equal to or less than \$20,000 annually; and full-time hourly equivalent of \$9.579 or lower - 13.90%

Refund/Rollover. The employee may request at the time of separation the form necessary for requesting a refund or rollover of employee contributions to ERA.

A pamphlet published by the Educational Retirement Board is available online at NMERB.org. Please consult this pamphlet for a more detailed explanation of the benefits and the various retirement options available to members.

Other. Other optional retirement vehicles are available that can be contributed to in addition to educational retirement. More information is available in the Human Resources office.

Alternative retirement plan. Administrators, faculty and professionals, whose positions are on the approved list, initially employed in a New Mexico institution July 1, 1999 or later, and who have never been a participant in the New Mexico Educational Retirement system, have options available to them for retirement. Information may be obtained in the Human Resources office.

RETIREE HEALTH CARE – 6.2.6

All employees required to participate in educational retirement are also required to contribute to retiree health care.

Contributions. The New Mexico Retiree Health Care Authority (NMRHCA) contribution rates are subject to change by legislative action.

Employee. Employees contribute a portion of their total earnings as provided by law. The current scheduled percentage of gross earnings is as follows:

2013-2014	1.000%
2014-2015	1.000%
2015-2016	1.000%
2016-2017	1.000%

Employer. Mesalands Community College contributes to the fund. The current employer contribution of gross earnings is as follows:

2013-2014	2.000%
2014-2015	2.000%
2015-2016	2.000%
2016-2017	2.000%

Contributions to retiree health care are not refundable. A pamphlet published by the New Mexico Retiree Health Care Authority is available for further information at <http://www.nmrhca.org/forms.aspx>

SOCIAL SECURITY AND MEDICARE – 6.2.7

Mesalands Community College is required to withhold from the pay of all employees, other than qualifying work study employees, the amount required by law for the Social Security Tax and Medicare. Employees contribute a portion of their total earnings as provided by federal law. The amount is deducted from each paycheck. Mesalands Community College contributes to the fund an amount equal to the employee's portion. The rates are subject to change by congressional action.

EDUCATIONAL BENEFITS – 6.2.8

Approval. Approval for, and reimbursement of tuition for any and all forms of study (related to the employee's job assignment) is contingent upon availability of funds, job performance, benefit to the College of the employee obtaining the additional education, and completion of course(s) with a grade(s) of C or better. An established budget will be set for each semester and funds will be distributed evenly among approved applicants. Reimbursement is for tuition only (paid by the employee with employee funds); all other fees must be paid by the employee. Approved reimbursements shall be a one-time payment after the grade report(s) have been received (within one month following the end of the semester). In order to be eligible for the reimbursement, the employee must have completed

federal financial aid forms and not be eligible for federal grants. The Educational Benefits Form must be filed in the Human Resources office with appropriate signatures by the following deadlines.

- May 1 – For classes that start prior to July 1.
- July 1 – For classes that start prior to December 1.
- December 1 – For classes that start prior to May 1.

Approval must be granted prior to the start of each class or the employee will not be reimbursed.

Courses must be taken on the employee's own time. In addition, the College has no obligation to release employees to attend courses.

Employees pursuing post-associate degrees that are also taking associate level courses are eligible for reimbursement of a maximum of six credit hours per semester. All other conditions still apply.

In all cases, employees must submit a plan of study with the Educational Benefits Form in order to initiate reimbursement.

Mesalands Community College Courses

This section of the Policy only applies to courses taken at Mesalands Community College where Mesalands Community College is the institution awarding credit.

Approval

Approval for any and all forms of study is contingent upon fund availability, job performance, supervisor approval, benefit to the College of the employee obtaining the education, and completion of the course(s) with a grade(s) of C or better. Benefit is for tuition only; all other fees, supplies, book cost, etc., must be paid by the employee, or eligible dependent, per College policies and timelines and will not be reimbursed. Before requesting tuition benefit, the employee must have completed the federal financial aid form and not be eligible for federal grants. The Educational Benefits Form that is used to request tuition benefit must be filed in the Human Resources office with appropriate signatures by the following deadlines:

- May 1 – For classes that start prior to July 1.
- July 1 – For classes that start prior to December 1.
- December 1 – For classes that start prior to May 1.

Approval must be granted prior to the start of each class or the employee will not be reimbursed.

Courses must be taken on the employee's own time. In addition, the College has no obligation to release employees to attend courses.

The College, with permission from the President, reserves the right to make exceptions to the above deadline schedule in cases where courses are added after schedules are printed. This policy does not apply to courses that the College requires employees to attend at College or departmental expense.

Eligibility

Tuition benefit is available to regular full-time as well as part-time employees and their dependent(s) as designated on the Free Application for Federal Student Aid (FAFSA) and spouses. In order to qualify for Mesalands Community College tuition benefit, dependent status must be established. Employees are required to provide proof of dependent(s) eligibility for tuition benefit each academic year. The maximum number of credit hours to be covered by this benefit per semester is six credit hours, tuition charges for additional credit hours taken in a single semester will be the responsibility of the employee or student per the tuition policy at the time of enrollment.

Tuition benefit is not available for non-credit classes offered through Mesalands Community College such as community education courses.

Termination of Service or Eligibility

Should employment cease (or eligibility for this benefit otherwise cease) during an academic year, the benefit will continue through the end of the semester in which employment or benefits eligibility ceases, and will end immediately thereafter. Dependent children who marry as undergraduates lose eligibility for tuition benefit beginning with the semester after the date of their marriage. If a divorce causes a student to lose eligibility, the student loses eligibility for tuition benefit beginning with the first semester after the date of the divorce.

Dropping, Withdrawing or Not Passing with a C or Better

If an employee or a spouse/dependent drops or withdraws from a course on or after the first day of classes, all or part of the tuition costs will be charged to the Mesalands Community College employee depending on the date of the withdrawal, per existing withdraw policies. If an employee or a spouse/dependent drops a course and adds another course on the same day, tuition benefit will not be affected.

If an employee or spouse/dependent does not complete a class with a letter grade of C or better, it would then become the responsibility of the employee of Mesalands Community College to pay back the cost of tuition for that class.

Payments

Payments for any course associated costs other than tuition will be due per policies of the College at the time of enrollment. Tuition charges eligible for reimbursement will be deferred until the course is completed and the student can provide proof of final grade to the business office. Proof of final grade must be provided to the business office within ten (10) days of the grade being awarded or the employee will be responsible for all tuition charges. If the student presents proof of a grade of C or better, then tuition costs will be covered by the College and billed to the appropriate College department. If student cannot present proof of a grade of C or better within 10 days of the grade being awarded, then employee will be billed for the tuition charges and charges will be due per the policies of the College at the time of enrollment.

Effective Date

This policy became effective for enrollments after 11/11/2014. Any enrollments prior to 11/11/2014 are subject to the then existing policy and practice of the College.

Post-Associate Credits at Other Institutions

Available to regular full-time employees for semester hour credits, 300-level or greater, earned at a regionally accredited college or university for a maximum of three credit hours per semester, with a maximum of 9 credit hours per year at no more than the cost for the respective undergraduate or graduate tuition rate at the University of New Mexico. Funds will only be applied to the first bachelor's or master's degree.

Employees seeking a second graduate specialty or degree (maximum of 3 credit hours per semester) may receive full reimbursement if the specialty or degree is deemed needed by the President.

Failure to Complete or Continuously Enroll/Employment Separation

If the employee is not continuously enrolled each semester (fall and spring), or separates (voluntarily or involuntarily) from employment at Mesalands Community College before completion of the plan of study, the employee must repay to the College any reimbursed tuition in excess of three credits per semester.

INJURY TIME/WORKERS' COMPENSATION – 6.2.9

Employees injured on the job or suffering from occupational diseases, as defined in the New Mexico Workers' Compensation Statute, shall receive Workers' compensation benefits as prescribed by law.

Reporting Procedure

All job-related injuries, whether requiring immediate medical attention or not, must be reported to the Human Resources office as soon as possible but, in any event, no later than fifteen (15) days following the accident. This is necessary to ensure proper and accurate processing of the injury and to ensure medical attention if necessary.

Medical Procedure

In all injury/illness incidents, which are clearly traumatic in nature, i.e., when an obvious medical emergency situation exists, the employee should go to the nearest emergency room or urgent care center.

Injury Time Compensation

An employee injured on the job may use accrued annual or sick leave for each regularly scheduled work day after the injury occurs for all such days not paid by Workers' Compensation. Workers' compensation payments received for all such days where annual or sick leave was received by the employee shall be paid directly to Mesalands Community College by Workers' Compensation. Annual or sick leave used by the employee in lieu of Workers' compensation shall be re-credited to the employee upon Mesalands Community College's receipt of the reimbursement by Workers' Compensation after the expiration of the statutory waiting period.

Modified Work Schedule

An employee returning from Workers' compensation disability shall return to light duty if an appropriate position is available and the employee's physician certifies that the employee can return to a light duty. Light duty is defined either as performing the same job as the employee held before the injury or as performing the duties of another position for which the employee is qualified, for fewer than eight hours each day or having reduced physical requirements for the full day or for less than the full day. The times and conditions of light duty shall be determined by Mesalands Community College. All light duty is temporary in nature.

If an employee returns to work on a part-time basis and is not receiving full salary while still on injury time, Mesalands Community College will continue to pay the employer's share of benefits contributed by Mesalands Community College on a pro-rata basis, based on hours worked. If the employee requests family and medical leave, the rules and procedures in Section 7 will apply.

Reemployment of College Employees Injured on the Job

An employee who has received, or is due to receive, benefits pursuant to the Workers' Compensation Act, and who was unable to return to work as certified by his/her treating physician shall be rehired at a later date if Mesalands Community College is subsequently hiring and

1. The employee applies for his/her pre-injury job, a modified job similar to the pre-injury job, or any job that pays less than the pre-injury job;
2. The employee is qualified for the job for which he/she applies; and
3. The employee's treating health care provider certifies that the employee is fit to carry out the job without significant risk of injury.

Neither the insurance carrier, nor the employer, will be liable for the payment of Workers' compensation benefits for injuries sustained during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the employer.

WELLNESS BENEFITS – 6.2.10

The College's Wellness Program allows a regular full-time employee and his/her dependents of at least 15 years of age to enroll in any HPE course at no cost to the employee. A part-time or temporary employee will be allowed to enroll himself/herself in any HPE activity course at no cost to the employee.

MESALANDS COMMUNITY COLLEGE DINOSAUR MUSEUM AND NATURAL SCIENCE LABORATORY – 6.2.11

Mesalands Community College employees enjoy the benefit of a 50% discount on admission prices to the Mesalands Community College Dinosaur Museum and Natural Science Laboratory for themselves, family and guests. The employee must present his/her Mesalands identification card to receive this benefit.

EMPLOYEE SERVICE RECOGNITION – 6.2.12

In an effort to recognize the hard work and dedicated service of its regular employees, Mesalands Community College will hold a reception each year at which full-time and part-time employees will be recognized based on their years of service to the institution. At the reception regular employees who will have completed 5, 10, 15, 20, 25, or 30 years of service that year will receive service awards that have been designed for Mesalands Community College for this purpose.

YOUR PAY – 6.3

PAY DAYS – 6.3.1

Normal Pay Days

Pay days are every other Friday.

Methods of Payment

Pay is distributed through direct payroll deposit into the employee's account at any participating banking institution. The direct payroll deposit statement is distributed to employee College mailboxes at 12:00 noon on pay day.

Any problems with direct deposits, payroll amounts or deductions should be brought to the attention of Human Resources immediately.

Final Pay

A terminated employee will be paid the final pay owed to him/her by the College within five days of the effective date of termination. Employees who resign will receive the final pay on the next regular pay date following the effective date of resignation.

Amounts Due to College

At the time of termination or resignation any amounts owed to the College will be deducted from the final pay amount.

PAYROLL DEDUCTIONS – 6.3.2

The following deductions are required by law:

Table 2 Payroll Deductions Required by Law

DEDUCTION	PAYROLL LABEL
Federal Withholding Tax	FWT
Social Security Tax	SST
Medicare	MED
Educational Retirement OR Alternative Retirement Plan	ERA or ERA2 ARP
Retiree Health Care	RHCA

Voluntary deductions include:

- Annuity contract payments (TIAA-CREF)
- Voluntary Life Insurance Premiums
- Employee's portion of group insurance (medical, dental, vision, long-term disability)
- Additional insurance premiums (cancer, heart, short-term disability)

Companies who wish to enroll employees in their company programs through Mesalands payroll deduction must have at least 20% full-time employee participation to do so. Any company soliciting participation from employees must first receive approval through the Human Resources office.

GARNISHMENTS – 6.3.3

A garnishment is a court document ordering the College to pay an employee's debts before issuing his or her paycheck. If a creditor obtains a garnishment on an employee's earnings, the College is required by law to deduct the necessary payment from the employee's wages.

SECTION 7

LEAVE

PAID LEAVE – 7.1

GENERAL – 7.1.1

Various types of leave are available to regular full-time employees of Mesalands Community College. Some leave types are available only to certain groups of employees, as is noted in the explanation of each type of leave.

Leave Request Form Processes. Leave requests of all types are to be processed as per current practice as determined by the Human Resources Office and approved by the President. Such processes may be through the campus intranet or through paper forms, or both.

Balances and charges. Accrued balances for sick, personal, and annual leave can be found on the direct payroll deposit statement of the eligible employee each pay period. Sick and annual leave are accrued per pay period. Leave will be charged against accrued balances each pay period as received.

Time sheets. Employees who are required to submit weekly time sheets should indicate all absences on the time sheet.

SICK LEAVE – 7.1.2

Sick leave is regarded as an important employee benefit and may only be used in the case of illness or injury of the employee or of an immediate family member or for medical sick leave. Immediate family is defined as spouse, parent, or child.

Accrual. Regular employees on full-time status accrue eight hours of sick leave per every 20 days worked (or as defined in the employment agreement), and may accumulate up to a maximum of 60 days (480 hours). Part-time and temporary employees do not accrue sick leave. No sick leave is accrued while an employee is on leave without pay. Sick leave is accrued on an hourly basis each pay period.

Sick leave charges. Medical sick leave (e.g., medical appointments) must be taken in one-hour increments. Time charged to sick leave may not exceed the employee's accruals. An employee may elect to charge sick leave to annual leave accruals. Sick leave absences will automatically be charged to accrued annual leave after sick leave accruals are exhausted. When sick and annual leaves are exhausted, the College may elect to grant leave without pay. When a scheduled holiday falls during a time an employee is on sick leave, the holiday will not be charged against sick leave.

Notice. If any employee is unable to report to work due to reasons allowed for sick leave, the employee must notify the designated person in the employee's division (President's executive assistant, or Vice President's administrative assistant) with as much advance notice as possible, but at least within the first half hour of his/her scheduled work time, and sign the Leave Request Form in the division designee's office immediately upon his/her return.

Faculty. In addition to following the requirements as listed for staff, faculty must follow policy as outlined in §5.4.1 of this Handbook.

Prior approval for appointments. In instances, such as doctor appointments, the employee should give his/her supervisor as much notice as possible of an upcoming absence. The leave requests should be completed and the required approvals obtained as early as possible prior to the absence.

Physician's statement. The supervisor may request at any time an employee to furnish a physician's statement and, if an absence exceeds three consecutive days a physician's statement will be required. The physician's statement should certify that the employee was under the doctor's care during the period of absence and was unable to work. The College reserves the right to require a physician's statement that an employee is physically unable to return to work or is medically released to return to work. Statements from physicians at doctorsexcuse.com or similar websites are not acceptable.

Restrictions on use. The use of sick leave may be restricted or prohibited when receiving benefits under some insurance programs, such as long-term disability. Restrictions can be found in the employee's insurance handbook.

Payment at separation. If the regular employee has completed at least one full year of employment with the College at the time of separation, he/she will receive a lump-sum payment for one-third of the accumulated, unused sick leave the employee has accrued, to be paid at the rate of pay in effect for the employee at the time of separation. **Grant-funded positions are ineligible for this benefit, unless the benefit is funded by the grant.**

PERSONAL LEAVE – 7.1.3

Regular faculty. Regular faculty will be allowed up to three working days for the fiscal year for personal leave without a deduction in pay. One and a half personal leave days will be available for use from July 1; the second day and a half will be available for use after January 1. Leave must be taken in two hour increments. Personal days will carry forward as personal leave to the next fiscal year if not used. There will be no payment for unused personal leave at the end of any fiscal year or in the event of separation.

10-month full-time employees. Full-time employees on 10-month contracts will be allowed up to four working days for the fiscal year for personal leave without a deduction in pay. Two personal leave days will be available from the beginning of the contract; the other two days will be added to personal leave mid-way through the contract. Leave must be taken in two hour increments. Personal days do not carry forward as personal leave to the next fiscal year if not used. However, unused personal for the fiscal year at June 30 will revert to sick leave. There will be no payment for unused personal leave at the end of any fiscal year or in the event of separation.

11-month full-time employees. Full-time employees on 11-month contracts will be allowed one working day for the fiscal year for personal leave without a deduction in pay. Four hours of personal leave will be available from the beginning of the contract; the other four hours will be added to personal leave mid-way through the contract. Leave must be taken in two-hour increments. Personal days do not carry forward as personal leave to the next fiscal year if not used. However, unused personal for the fiscal year at June 30 will revert to sick leave. There will be no payment for unused personal leave at the end of any fiscal year or in the event of separation.

Regular full-time employees. Regular full-time employees will be allowed up to two working days for the fiscal year for personal leave without a deduction in pay. One personal leave day will be available for use from July 1; the second day will be available for use after January 1. Leave must be taken in two-hour increments. Personal days do not carry forward as personal leave to the next fiscal year if not used. However, unused personal leave for the fiscal year at June 30 will revert to sick leave. There will be no payment for unused personal leave at the end of any fiscal year or in the event of separation.

Prior approval. Personal leave should be approved prior to taking it. In an emergency situation the appropriate Vice President may give approval on the phone. The Vice President should notify the Human Resources office of personal leave approved by phone. Prior to the leave (or in the case of emergency) the employee must notify the designated person in the employee's division (President's executive assistant, or Vice President's administrative secretary) with as much advance notice as possible, but at least within the first half hour of his/her scheduled work time, and sign the Leave Request Form in

the division designee's office immediately upon his/her return. Faculty must follow notification requirements found in the Faculty Handbook.

Restrictions. Personal leave for faculty will not normally be approved during the five days prior to each semester, or the first five or last five instructional days of each semester or term except in the case of an emergency. Only the Vice President of Academic Affairs can approve personal leave under these circumstances. Personal leave for regular full-time employees will not normally be approved during the two-day enrollment period before the beginning of each semester, or for graduation day, except in the case of an emergency. Only the appropriate administrator can approve personal leave under these circumstances.

ANNUAL LEAVE EMPLOYEES ON 12 MONTH CONTRACTS – 7.1.4

At the end of each semi-monthly pay period, only regular full-time employees on ten-month, eleven-month, or 12-month contracts will be credited with the amount of annual leave earned.

Non-exempt personnel on 12-month appointment letters. Employees in FLSA non-exempt positions on 12-month appointment letters will be credited with annual leave earned each pay period. Those with 0-4 years' service earn 11 days annual leave each fiscal year; 5-10 years' service, 13 days; 11 and more years, 16 days. Maximum accrual allowed is two times the annual leave earned per year.

Exempt personnel on 12-month contracts. Employees in FLSA exempt positions on 12-month contracts will be credited with annual leave earned each pay period. Those with 0-10 years' service earn 15 days annual leave each fiscal year; 11 and more years, 18 days. Maximum accrual allowed is two times the annual leave earned per year.

Exempt personnel on ten- or eleven-month contracts. Employees in FLSA non-exempt and exempt position contracts will be credited with annual leave earned each pay period as established in the individual employment agreement.

Divisional Vice Presidents. Divisional Vice Presidents will be credited with annual leave earned each pay period. Divisional Vice Presidents earn 24 days annual leave each fiscal year. Maximum accrual allowed is three times the annual leave earned per year.

New employees. Accrual begins for new regular employees the first pay period the employee works at least 40 hours.

Accruals in excess of maximum. All excess leave above the maximum accrual remaining at the close of business on June 30 will be forfeited and deducted from the annual leave balance. **Employees are individually responsible for**

monitoring their leave balance. Once the leave has been forfeited, it will not be returned for any reason. If an employee is in danger of losing vacation days due to work demands, please see Mesalands Community College exception to the “Accruals in excess of maximum” policy procedure below.

Mesalands Community College recognizes sometimes work demands prevent an employee from taking all available vacation days. In an effort to accommodate employees given special workloads which effectively made it impossible for employee to take the vacation due them, Mesalands Community College is adopting a limited exception to the “Accruals in excess of maximum” policy. Employees prohibited in writing by the College President, Vice Presidents or Directors from taking annual leave during a period of two months or greater to satisfy assigned work assignments or responsibilities will be permitted carry over to the following contract year all excess annual leave above the maximum accrual remaining on the close of business on June 30 of the year annual leave was accrued. Under these limited circumstances, the employee only will be permitted to use these carry over for leave only. Under no circumstances will the excess annual leave carried over be used to calculate payout amounts if the employee’s employment relationship with Mesalands Community College is voluntarily or involuntarily terminated. Employees who believe they meet the terms of this limited exception and seek to carry over their excess annual leave must make a request in writing and submit it to the Human Resources Director.

Prior approval and charges. Annual leave must be approved by the supervisor and the appropriate Vice President prior to the leave being taken. Requests for annual leave must be submitted in a timely manner, and can be denied if circumstances do not permit your specific position to be absent during the particular timeframe of the leave request.

Restrictions. Only continuous employment at Mesalands Community College shall count toward determining the entitlement as based on the annual leave schedules. Mesalands Community College reserves the right to schedule an employee’s annual leave in accordance with the needs of the College with due consideration given to the employee’s preference. Employees will not be allowed to use annual leave beyond the hours accrued.

An employee who has worked fewer than 40 hours in a pay period at the time of termination will not be allowed any annual leave accrual for that pay period.

Employees that have a teaching requirement may not take annual leave during the semester’s scheduled days of instruction.

No annual leave is accrued while an employee is on leave without pay. When an annual leave period includes a paid holiday, the time is not charged as a day of annual leave.

Payment at separation for annual leave accrued but not used. At the time of separation, the eligible employee will be paid for annual leave accrued, but not used, up to the maximum allowable accrual for such employee. Grant-funded positions are not eligible for this benefit, unless the benefit is funded by the grant.

Employees in grant-funded positions. Employees paid from grant/restricted funds who are terminating their employment must either: (1) take their accrued vacation during the contract period in which they are terminating their employment; or (2) terminate in sufficient time prior to the end of the contract period to use accrued annual leave, or forfeit any unused accrued annual leave.

BEREAVEMENT LEAVE – 7.1.5

When a death occurs in the family, including spouse, parent, grandparent, child, grandchild, sibling, or any other close family relationship similar to a spousal relationship, a regular full-time employee may request up to three days bereavement leave. Authorized bereavement leave is not chargeable against the regular employee's annual leave or sick leave. If time permits, the employee should process the leave request on Mesalands Community College forms prior to departing. If this is not possible, or during an emergency, the leave may be authorized by the appropriate Vice President or his/her designee by phone. The administrator authorizing the leave shall report this to the Human Resources office in writing. Bereavement leave is limited to three days per fiscal year (taken in half day increments).

PROFESSIONAL LEAVE – 7.1.6

Professional leave with pay may be granted for participation in Mesalands Community College related professional activities upon the approval of the President or appropriate Vice President.

COURT LEAVE – 7.1.7

Leave with full pay will be granted a regular employee to respond to legal processes for the College, or for jury duty which requires an absence from duty.

To avoid double payment, the employee shall turn in any payment provided to the employee by the court.

Leave may also be requested by an employee to appear in court to assert or protect his/her own interests. The employee shall use personal leave balances, earned annual leave or leave without pay for such purposes.

Leave request. The employee under the above circumstances must fill out a leave request and receive prior approval before being absent and give their supervisor as much notice as possible so that proper planning can be

accomplished to cover the employee's absence. Employees who have been notified for jury duty should attach a copy of the notice to the initial leave request.

MATERNITY LEAVE – 7.1.8

Employees who are eligible for leave under the Family Medical Leave Act (FMLA) will have maternity leave processed in conjunction with the provisions of the FMLA Policy, Employee Benefits, Section 7.2.3, regarding election of paid/unpaid leave, continuation of insurance coverages, etc. Employees who are not eligible for FMLA will be eligible for a maximum of six weeks of maternity leave. Mesalands Community College requires an employee to use all of the employee's accrued and unused vacation days, personal days, and sick days to cover the leave. No vacation or sick leave will accrue while an employee is on maternity leave.

Nursing Mothers

Upon return from maternity leave, nursing mothers will be provided reasonable break time to express milk for her nursing child. This will be provided for up to one year after the child's birth.

MILITARY LEAVE – 7.1.9

PAID MILITARY LEAVE FOR RESERVE OR NATIONAL GUARD ACTIVITIES

Paid military leave is granted for authorized reserve or National Guard activities for a maximum of 15 working days during a one-year period. Military leave must be requested upon receipt of notice from the armed forces. The employee must furnish proof of duty orders or other documentation prior to leave being granted unless the leave is for emergency purposes.

The Uniformed Services Employment and Reemployment Rights Act (USERRA)

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service. USERRA also prohibits employers from discriminating against past and present members of the uniformed service, and applicants to the uniformed services.

Reemployment Rights

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

Right to be Free from Discrimination and Retaliation

If you

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service;

then an employer may not deny you any of the following because of this status:

- initial employment
- reemployment
- retention in employment
- promotion or
- any benefit of employment

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

Health Insurance Protection

If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are

reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusion) except for service-connected illnesses or injuries.

Enforcement

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at <http://www.dol.gov/vets>.

An interactive online USERRA Advisor can be viewed at <https://webapps.dol.gov/elaws/userra.htm>

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, depending on the employer, for representation. You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. This notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/vets/programs/userra/USERRA_Private.pdf.

Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying this notice where they customarily place notices for employees. USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

ELECTION DAYS – 7.1.10

An employee shall be given necessary time off with pay for the following:

For purposes of a national, state, or local election, an employee who is registered to vote will be granted up to two hours paid leave for voting, between the time of opening and the time of closing polls. The employee's supervisor may specify hours for the leave. This leave will not be granted to any employee whose work day begins more than two hours subsequent to the time the polls open, or ends more than three hours before the polls close.

UNPAID LEAVE – 7.2

LEAVE WITHOUT PAY – 7.2.1

Mesalands Community College may grant leave without pay to an employee at the discretion of the President when the leave can be granted without interfering with College operations. This policy on leave without pay and reinstatement applies to all employees who take an unpaid leave of absence, except those on Family and Medical Leave (FMLA).

A regular employee may request leave without pay for up to one year for educational purposes or for personal reasons of an important nature. If the request is granted, and the leave is for more than two weeks, the employee shall pay 100% of his/her insurance premiums while in this status provided the leave is not identified as FMLA.

Regular employees who have teaching responsibilities shall be eligible for leave without pay only for the balance of the term in which the leave has begun.

Instructors may not receive leave without pay beyond the final date of their teaching contract or end of the fiscal year, whichever is earlier.

An employee on leave without pay does not accrue vacation or sick leave, or qualify for holiday pay. While on leave without pay an employee does not qualify for benefits, except those expressly provided for employees on FMLA.

POLICY ON REINSTATEMENT AFTER A LEAVE OF ABSENCE WITHOUT PAY – 7.2.2

While a leave of absence without pay is not recommended or granted except with the expectation of reinstatement, reinstatement is not guaranteed. Operating conditions or needs may make reinstatement impractical when the reinstatement is requested.

Reinstatement is not a matter of employee rights. The determination of reinstatement or non-reinstatement will be at the discretion of the President.

An employee seeking to return to employment from a leave without pay must contact the Human Resources at least 30 days prior to expiration of the leave. An employee who fails to request reinstatement is deemed to have resigned.

An effort will be made to reinstate an employee to the same or equivalent job and salary held at the time of leaving if such a position is available and if it is in the best interest of the College.

If the employee refuses a position offered him/her, the College has no further reinstatement obligation.

Employees on leave of absence without pay for more than 30 calendar days will have their anniversary date (date in current position) adjusted by the number of days spent on unpaid leave of absence.

The New Mexico Educational Retirement Board prohibits the payment of retirement contributions if the employee does not receive a salary, therefore no contribution to ERA can be made during the time of the leave without pay.

An employee reinstated from leave of absence within one year will be given credit for prior service in computing the accrual rate for vacation, sick leave and other benefits.

FAMILY AND MEDICAL LEAVE OF ABSENCE – 7.2.3

To be eligible for family and medical leave benefits, an employee must have worked for Mesalands Community College for a total of at least twelve months and have worked at least 1,250 hours over the previous twelve months. The 12-month period is measured backwards from the date the leave is first commenced. Eligible employees may receive up to a total of twelve work weeks of unpaid leave for the following reasons:

1. The birth and care of the employee's child;
2. The placement of a child for adoption or foster care;
3. To care for an immediate family member (spouse, child or parent) with a serious health condition;¹
4. To take medical leave when the employee is unable to work because of a serious health condition; or
5. For active duty family leave.

Eligible employees who are a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness, may receive up to a total of twenty-six workweeks of unpaid leave during a “single 12-month period” to care for the service member.

¹ Serious health condition means an illness, injury, impairment or physical or mental condition that involves either in-patient care in a hospital, hospice, or residential health care facility or continuing treatment or supervision by a health care provider.

Employees requesting family and medical leave will be required to provide:

1. Thirty-day advance notice when the need for the leave is foreseeable;
2. Medical certification prior to the leave starting that includes (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) pertinent medical facts regarding the condition; and (4) the amount of time needed;
3. Periodic recertification; and
4. Periodic report during the leave.

If the leave is to care for another person, the certification must state how long the employee will be needed to provide care and that the serious health condition requires the employee to provide such care. If the leave is for the employee's own serious health condition, the certification must also state that the employee is unable to perform the essential functions of the employee's current position. When leave is needed to care for an immediate family member or the employee's own serious health condition and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt Mesalands Community College operations.

If Mesalands Community College has any doubt as to the validity of the certification, a second opinion may be required from a medical provider of Mesalands Community College's choice and at its expense. In addition, Mesalands Community College may require that a third opinion be obtained from a health care provider at the employer's expense. In such an event, the opinion of the third provider shall be final and binding.

Family and medical leave is unpaid. Mesalands Community College requires an employee to use all of the employee's accrued and unused vacation days and personal days to cover the leave. If the leave is requested because of the employee's own serious health condition, the employee will also be required to exhaust any accrued sick leave. No vacation or sick leave will accrue while an employee is on family and medical leave.

An employee returning from an approved family or medical leave of absence that does not exceed the maximum eligible length of leave will be reinstated to his or her original position or an equivalent job with equivalent pay, benefits and other terms and conditions of employment. There is no absolute right to return to the same position. A medical release to return to work from a leave taken because of the employee's own serious health condition may be required from the employee's health care provider. An employee who does not return to work at the end of an authorized leave and does not obtain an approved extension of leave pursuant to Mesalands Community College unpaid leave policy, Section 7 of this handbook will be regarded as having voluntarily resigned.

During an approved leave, Mesalands Community College shall continue to provide, if otherwise available, medical coverage under its group health plan on the same conditions that would have applied if the employee had not taken the leave. In no case will Mesalands Community College continue to pay for such coverage for more than 12 weeks in any 12- month period. The employee will remain responsible for paying the employee's portion, if any, of the insurance premium, including the premium for dependent coverage, if available. Failure to pay premiums on a timely basis may result in a lapse of coverage. Payment of premiums is due by the 30th of the month prior to the month for which the employee wishes to be insured. If the employee fails to return to work when the leave expires, the employee will be required to reimburse Mesalands Community College for the group health insurance premium paid by Mesalands Community College on behalf of the employee during the leave unless the employee fails to return because of a continuation, reoccurrence, or onset of a serious health condition that entitles the employee to leave under this policy or due to circumstances beyond the employee's control.

If an employee on leave is a salaried employee who is among the top 10% of employees in terms of gross earnings and keeping the job open for the employee during the leave would result in substantial grievous economic injury to the operations of Mesalands Community College, reinstatement may be denied. In such cases, the College shall give the employee a reasonable opportunity to return to work after notifying the employee of the intent to refuse reinstatement.

Intermittent leave or reduced work schedule will only be permitted when medically necessary or certified by the employee's or his/her immediate family members' treating physician. Employees must make reasonable effort to schedule their intermittent leave which is foreseeable based on planned medical treatments so as not to unduly disrupt Mesalands Community College's operations. While an employee is on intermittent family and medical leave, the employer may assign the employee to an alternative position with equivalent pay and benefits that better accommodates such period of intermittent leave.

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SECTION 8

WORKING CONDITIONS

DISCRIMINATION AND SEXUAL HARASSMENT POLICY AND REPORTING PROCEDURES – 8.1

DISCRIMINATION AND SEXUAL HARASSMENT POLICY – 8.1.1

Policy

Mesalands Community College disapproves of, and will not tolerate, discrimination against employees, students or visitors based on race, color, ancestry, religion, national origin, sex, age, physical or mental disability, serious medical condition, veteran status, spousal affiliation, sexual orientation, gender identity or any other basis prohibited by federal, state or local law. Mesalands Community College also prohibits the sexual harassment of its employees, students, or visitors. Any employee who engages in discrimination or sexual harassment will be subject to discipline and appropriate corrective action will be taken to prevent its recurrence. Any incidents of discrimination or sexual harassment by anyone, including non-employees, should immediately be brought to the attention of the Human Resources Specialist, the Vice-President of Academic Affairs or the Vice President of Student Affairs.

SEXUAL HARASSMENT – 8.1.2

Definition of Sexual Harassment

The Equal Opportunity Commission has adopted guidelines which state that unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute "sexual harassment" when:

1. submission to the conduct is an explicit or implicit term or condition of an individual's employment;
2. the submission to or rejection of the conduct by an individual is the basis for any employment decision affecting that individual; or

3. the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. A hostile work environment may be one where crude or vulgar language is used, inappropriate touching occurs, jokes of a discriminating or sexual nature are told, comments that demean an individual based on gender are made, unwelcome nicknames, such as "honey" or "sweetie" are used, and nude or partially nude individuals in photographs, calendars, magazines, books, etc., are displayed or disseminated.

COMPLAINT PROCEDURE – 8.1.3

Procedure

Any employee who feels that he or she has been discriminated against, or has been the subject of sexual harassment by an employee, student, or vendor, or has witnessed such discrimination or sexual harassment, should follow this procedure in bringing the matter to Mesalands Community College's attention:

The employee or witness should promptly bring the matter to the attention of the Title IX Coordinator. This complaint should be in writing

The Title IX Coordinator shall immediately notify the President of Mesalands Community College. In the case the College President is the subject of the employee's complaint, the Title IX Coordinator shall immediately notify the Board of Trustees Chair.

The President shall authorize the Title IX Coordinator or designee to conduct an investigation of the allegation. In the case the Title IX Coordinator is the subject of the employee's complaint, the President shall authorize a designee, or counsel for the College to conduct an investigation of the allegation.

The Title IX Coordinator, designee, or College Counsel will advise the person who allegedly engaged in the discrimination or sexual harassment of the charge, and the Title IX Coordinator or designee, or College Counsel will conduct a thorough investigation of the allegation. The complaint will be kept as confidential as possible.

After the investigation, the Title IX Coordinator or designee or College Counsel will advise the President of the investigation results and the President will review the investigation results. The people involved will be notified of the investigation results.

If a determination is made that discrimination or sexual harassment has occurred, appropriate disciplinary action, which may include discharge, will be taken.

Employees or witnesses who bring a complaint of discrimination or sexual harassment to the attention of Mesalands Community College, or who assist another will not be retaliated against.

Although employees are encouraged to use the internal complaint procedure to resolve complaints of harassment or discrimination there is nothing in this procedure which precludes the employee from contacting the Equal Employment Opportunity Commission or the New Mexico Human Rights Division.

Inquiries regarding equal opportunity policies or the filing of complaints may be directed to:

Title IX Coordinator - Dr. Aaron Kennedy, Vice President of Student Affairs.

DUTY TO REPORT CHILD AND ADULT ABUSE AND/OR NEGLECT – 8.2

Mesalands Community College strictly adheres to Children’s Code as outlined in New Mexico Statutes beginning with Article 32A-4-1.

All employees, regardless of classification, are mandated reporters. Any employee who knows or have a reasonable suspicion that a child or adult is an abused or a neglected child/adult shall report the matter immediately to:

1. Statewide Central Intake (SCI), 1-800-797-3260 for both child and adults, which will in turn refer you to appropriate departments

Anyone reporting an instance of alleged child or adult neglect, or abuse or participating in a judicial proceeding brought as a result of a report required by NMSA 1978 [32A-4-3] is presumed to be acting in good faith, and shall be immune from liability, civil or criminal, that might otherwise be incurred or imposed by the law, unless the person acted in bad faith or with malicious purpose.

DRUG-FREE WORKPLACE POLICY – 8.3

It is the policy of Mesalands Community College to provide a safe environment for its employees, students and members of the public. Accordingly, Mesalands Community College adheres to the Drug-Free Workplace Act of 1988, the

Omnibus Transportation Act of 1991, and any state and local law regarding the use, sale or possession of alcohol and controlled substances on College property.

PROHIBITIONS – 8.3.1

Mesalands Community College forbids any employee or student from possessing, using, selling, distributing, or being under the influence of alcohol or drugs, and from possessing, using, selling, or distributing drug paraphernalia, while on College property, or while involved in student activities.

DRUG AND ALCOHOL TESTING POLICY – 8.3.2

I. Definitions

Reasonable suspicion: An act of observance where there is a reason, through use of sound judgment, to suspect that an employee is under the influence of drugs or alcohol.

II. Policy

It is the policy of the College to provide all employees, students, customers, and visitors with as safe a working environment as is possible, and to promote the safe and efficient performance of job duties including the safe operation of College equipment and vehicles. In order to do so, the College must establish certain policies and procedures regarding the use and possession of intoxicants including drugs and alcohol.

Mesalands Community College does not permit any individual to report to work or to continue to work under the influence of drugs or alcohol. This includes but is not limited to, alcohol (at or above 0.05% blood level), THC (marijuana, hashish), amphetamine/methamphetamine (“speed,” “crystal”), cocaine or crack cocaine, opiates (codeine, heroin, hydromorphone, hydrocodone), phencyclidine (PCP or “Angeldust”), or similar intoxicants or mind altering substances, including so called “designer” drugs. College policy prohibits the unlawful possession, use, manufacture, purchase, sale and distribution by employees of any kind of drugs or alcohol on College property, which includes all of the College’s parking lots and adjacent areas, and in College vehicles. College Policy prohibits employees from making arrangements for such acts while on College business or on College property. This policy does not prohibit the proper use of prescribed medication under the direction of a physician. However, abusing prescription drugs during work hours on or off College property is prohibited. Employees who take prescription or non-prescription drugs which could affect their ability to perform their duties, in a safe and efficient manner, are expected to immediately notify their supervisor of this fact when they report to work.

Finally, the unlawful possession, use, manufacture, purchase, sale or distribution of intoxicants including drugs or alcohol, as well as any other mind altering substance by an employee away from the College’s premises while off duty may also result in disciplinary action up to and including termination.

A. On-The-Job Alcohol/Drug Testing Based on Reasonable Suspicion.

1. The Test

Testing of an employee during the employee's normal working hours may be done in instances where there is reasonable suspicion that an employee is under the influence of a mind altering substance, drug and/or alcohol in violation of this policy. In such cases, the supervisor is to contact the Human Resources office for instructions.

The Human Resources office will review the situation with the supervisor immediately and determine if the employee is to be tested. If the decision is to test the employee and the employee refuses to be tested, he/she will be suspended immediately without pay and will be subject to disciplinary action, up to and including termination, for refusing to cooperate. If the employee agrees to be tested, the employee will be required to sign the Informed Consent and Release of Liability form.

An employee designated for testing is to be accompanied to the testing site by the supervisor or designee. Following the test and return to the College, the employee is dismissed for the rest of the day. The College will make reasonable efforts to assist the employee in obtaining transportation to place of residence or to a relative or friend. The employee is not to return to work until told to do so by the supervisor.

2. Test Results

If the test discloses that intoxicants or mind altering substances are present in the employee's system, the employee will be suspended pending the outcome of a review. The Human Resources Director will work with the Vice President and the College President to review the situation and determine the appropriate disciplinary action. In cases involving employees in safety sensitive positions or positions of trust which are key to maintaining effective business operations, the College at its sole discretion may determine to immediately terminate employment upon notification of a positive test result regardless of a first violation situation. Any evidence that the employee attempts to alter the results of the test may result in disciplinary action up to and including termination of employment.

If the employee is eligible to return to employment with Mesalands Community College, he/she must be certified and actively participating in a treatment program. Failure to follow prescribed procedures will lead to the termination of the employee. The employee will be subject

to random drug/alcohol testing for a period of one year following the first day returning to work. The employee is required to sign a Random Drug Test Agreement Form. If, during this period, the employee refuses to adhere to the prescribed procedures, refuses to sign the informed consent and release of liability form or test positive for drug/alcohol use, the employee's employment with the College will be terminated.

An INFORMED CONSENT AND RELEASE OF LIABILITY FORM which employees are required to sign before taking a urine/blood test, and a RANDOM DRUG TEST AGREEMENT (applicable in certain instances), are an addendum to this policy, and are on file in the Human Resources Office.

B. Authorized Drug and Alcohol Testing

1. All applicants for safety-sensitive positions are required to submit to drug and alcohol testing after an offer of employment is made and prior to final selection for appointment.
2. Prior to final selection for promotion or transfer to a safety-sensitive position, the employee will be required to submit to drug and alcohol testing.
3. Employees in safety-sensitive positions are required to undergo annual drug and alcohol testing.
4. The College will require any employee to undergo drug and/or alcohol testing if the College has a reasonable suspicion that the employee:
 - a. has committed drug and/or alcohol abuse affecting the work place based on, but not limited to, one of the following:

direct observation of the symptoms or manifestations of being under the influence of a drug or alcohol such as, but not limited to, the smell of alcohol on breath, slurred speech, unsteady walk, impaired coordination, or dilated pupils.

abnormal conduct or erratic behavior while at work or a significant deterioration in work performance; or

a report by a credible source of drug or alcohol use on College property; or the possession of drug paraphernalia or other physical evidence of drug or alcohol use on College property; or of an employee reporting to work under the influence of drugs or alcohol.

- b. has caused a work-related accident which resulted in injury to persons or property.
5. Before an employee is required to submit to reasonable suspicion drug and/or alcohol testing, a supervisor must secure the approval of the next level supervisor, unless the requesting supervisor is the President. The requesting supervisor or his/her designee will drive the employee to and from the designated drug-testing location and will return the employee to the College office or to the employee's residence, depending on the circumstances. The employee will be placed on leave without pay pending test results. The supervisor will prepare a memorandum within 24 hours of the collection stating what gave rise to the reasonable suspicion and submit the memorandum to the Human Resources office.
6. All applicants and employees who are required to be tested for alcohol and drugs must sign a form consenting to the testing and permitting the results to be released to the College. Failure to sign this form by an applicant will result in revocation of the job offer. Failure to sign this form by an employee will be grounds for disciplinary action including dismissal.

C. Safeguards

Before requiring an applicant or employee to undergo drug or alcohol testing, whether based on reasonable suspicion or authorized, the applicant or employee will be provided the opportunity to indicate in writing any over-the-counter or prescription medications that the applicant or employee is currently taking or has recently taken and any other information relevant to the reliability of the test results. No applicant or employee, however, will be required to list any such medications or information, and failure to do so will in no way prejudice the analysis of his/her test.

Any employee properly using any prescription or nonprescription drug that may affect or impair such employee's performance of his/her job duties (for instance, by causing drowsiness) despite such proper use, shall report such use to the Human Resources Department upon reporting for work on the first day of such use. Such reported use shall not constitute a violation of this policy.

An employee whose performance is impaired because of the use of a prescribed drug will be sent home and be required to use sick leave, annual leave, personal leave or leave without pay until the employee's physician certifies that he/she can perform his/her essential functions safely.

D. Collection and Testing of Specimens

1. Blood, breathalyzer or urine specimens for drug or alcohol testing will be collected by an independent laboratory, that meets applicable provisions of any state licensure requirements and tested by an independent laboratory, certified by the National Institute on Drug Abuse or the College of American Pathologists in Forensic Urine Drug Testing.
2. It will be the policy of the College to follow the National Institute of Drug Abuse Guidelines on levels of drugs in the urine. A test result of a blood alcohol (BAC) level of .05 or more will be deemed positive.
3. The laboratory will report as negative all specimens that are negative on the initial test or negative on a confirmatory test. Only specimens reported as positive on the confirmatory test will be reported positive for a specific drug.
4. The laboratory will retain and place in properly secured long-term frozen storage for at least one year those specimens confirmed positive. The College may request the laboratory to retain the specimen for an additional period of time.

E. Reporting of Test Results

1. Drug and alcohol tests will be reported only to the Human Resources office.
2. The Human Resources office will notify applicants and employees verbally and/or in writing of test results.
3. All records pertaining to a given urine specimen will be retained by the laboratory for a minimum of two years.
4. The Human Resources office will make the employee's supervisor and department head aware of the test results.

F. Explanation of Positive Test Results

Applicants for employment, who test positive for drugs may, within two working days of notification of the test results, submit a written request to the Human Resources office to review the test results.

1. If the applicant does not request a review of the test results within two working days, the applicant waives any retesting of the sample and consents to rejection of their application for employment.

2. Should any questions arise as to the accuracy or validity of a confirmed positive test result, the Human Resources office is authorized on behalf of the College to order a reanalysis of the original sample, and such retests are authorized to be performed only at an independent laboratory that meets applicable provisions of any state licensure requirements, and is certified by the National Institute on Drug Abuse or the College of American Pathologists in Forensic Urine Drug Testing.

G. Retesting

Applicants who have sought retesting and all employees who tested positive for drugs or alcohol may elect to have, at their expense, a portion of the original urine specimen or blood sample retested by another independent laboratory, that meets applicable provisions of any state licensure requirements, and is certified by the National Institute on Drug Abuse or the College of American Pathologists in Forensic Urine Drug Testing. The laboratory will arrange for the shipment of the urine specimen or blood sample to the laboratory of the applicant's or employee's choosing. The College will pay for the retest if the retest is negative.

H. Confidentiality

No laboratory reports or test results will appear in the employee's personnel file unless they are part of a disciplinary action, but will be placed in a special locked file maintained by the Human Resources office.

I. Sanctions

1. Applicants or Employees in Safety-Sensitive Positions
 - a. An applicant for employment in a safety-sensitive position who tests positive for drugs and who does not seek retesting in the set time period will be rejected.
 - b. An employee seeking transfer or promotion to a safety-sensitive position who tests positive for drugs, and is unable to satisfactorily explain the positive results, will be dismissed in accordance with Section 9 of this handbook.
 - c. An employee holding a safety-sensitive position whose annual drug and alcohol test indicates a positive test result for drugs and alcohol will be dismissed, if the employee is unable to satisfactorily explain the positive results, in accordance with Section 9 of this handbook.

2. Reasonable Suspicion Testing/Positive Test Results

Employees who are tested for drugs or alcohol because of the reasonable suspicion that they were under the influence of alcohol or drugs and who test positive on a drug or alcohol test and who do not have a satisfactory explanation for the positive test results will be dismissed in accordance with Section 9 of this handbook.

3. Refusal to Cooperate in Testing Procedure

Any employee who refuses to cooperate in a drug or alcohol testing procedure by refusing or failing to complete the specified forms, by refusing or failing to submit a urine or blood specimen, or otherwise fails to cooperate will be dismissed in accordance with Section 9 of this handbook.

4. Insurance Coverage

The employee should refer to the College's medical insurance coverage for details concerning alcohol/drug abuse coverage.

5. Possession of Drugs or Alcohol

Employees, while on duty, regardless of the location, who possess, consume, sell, purchase, or transfer alcohol or drugs or any substance in Schedules I and II of the Controlled Substances Act [NMSA 1978, Sections 30-31-1 through 30-31-41 (Cum. Supp. 1990)] will be dismissed. The possession, consumption, sale, purchase or transfer of a controlled substance will be reported to the local law enforcement agency.

DENIAL OF WORKERS' COMPENSATION BENEFITS

Any employee who experiences a personal injury on the job and who tests positive for illegal drugs or alcohol at the time of the occurrence will not be eligible for workers' compensation benefits incurred as a result of the occurrence.

NON-DISCLOSURE

Any intentional cover-up of a drug or alcohol related accident or the possession, consumption, sale, purchase, or transfer of alcohol or drugs at the work place or while conducting College business will result in dismissal.

DEPARTMENT OF TRANSPORTATION COMPLIANCE – 8.3.3

Pursuant to the Omnibus Transportation Act of 1991, the United States Department of Transportation enacted regulations requiring mandatory drug testing of individuals who are required to have commercial driver's licenses as a part of their job description. In compliance with these regulations, Mesalands Community College has adopted specific regulations, which includes random drug testing, to apply to this category of employee. Copies of these regulations may be obtained from the Human Resources office.

TOBACCO-FREE POLICY – 8.4

All of Mesalands Community College's indoor areas are to be smoke-free and tobacco-free areas to include vapor cigarettes. In support of the Dee Johnson Clean Indoor Act [24-16-1 NMSA 1978], this prohibition against all use of tobacco of any kind is extended to include all campus building facilities (including restrooms, classrooms, work areas, lounges, commons areas, conference rooms, etc.) and all vehicles owned and/or operated by the College. Smoking and other tobacco use may take place only in the designated areas that are located outside of Mesalands Community College buildings. Designated areas are to be at a distance sufficient to ensure that persons entering or leaving the building or facility shall not be subjected to breathing tobacco smoke and to ensure that tobacco smoke does not enter the building or facility through entrances, windows, ventilation systems or any other means.

Student Violations

Penalties for student violations of this policy will be enforced as published in the student handbook.

Employee Violations

Penalties for employee violations of this policy will be enforced as allowed for in Section 9 of this handbook and as allowed for in Section Eleven of the Dee Johnson Clean Indoor Act.

CODE OF ETHICS FOR EMPLOYEES OF MESALANDS COMMUNITY COLLEGE – 8.5

Members of the Board of Trustees recognize that they hold a public trust as elected officials responsible for governance of the College, and they subscribe to a code of ethics to express their personal commitment to ethical principles in governance of the College. It is expected that employees also subscribe to a high standard of ethical conduct as public employees of a public institution. Each employee is expected to subscribe to the principles for ethical conduct expressed in the Code of Ethics for Mesalands Community College Employees.

Violation of the Code of Ethics may be cause for censure or sanctions imposed in accordance with the disciplinary policies of this handbook.

Code of Ethics for Employees of Mesalands Community College

The citizens in our community expect us to represent them as responsible and model citizens who demonstrate a high level of professional conduct. Employees of Mesalands Community College will strive to fulfill their responsibilities as dedicated and responsible employees, and perform their assigned duties to the best of their abilities in order that Mesalands Community College may provide the very best college education possible for all eligible students, therefore, the employees will:

Do their best to demonstrate, that their first and greatest concern is the fair and equal educational opportunities for students attending this College.

Perform the duties, of the positions they willingly applied for and accepted. They accept that they are responsible members of a professional team which often has to do more than the minimum requirements their job descriptions outline in order to make the College succeed.

Respect fellow employees' reputations, and will not favor or support special interests inside or outside of the College which could damage the reputation of other employees of the institution or the reputation of the College itself.

Avoid engaging in personality disputes, the taking of sides, and the spreading of gossip and rumors which may injure the College or other employees. They will always check out the source and validity of anything which has the potential of hurting the image of the College and its personnel.

Keep confidential information confidential, including information which by law or practice is not made available to the public.

Work in harmony with the rest of the employees to always promote and preserve the integrity of the College --- its faculty, its administration, its Board of Trustees, its staff, and its students.

Support the mission of the College, make every effort to promote the mission of the College and promote its reputation and stature in the community.

Upgrade their performance as employees, by keeping up with current developments which affect their assigned responsibilities as an employee of an institution of higher education.

Avoid being placed in a position of conflict of interest, and will refrain from using their relationship with the College for personal partisan gain.

GRANTS – 8.6

No employee shall apply for any grant without approval of the Grants Officer of the College. Under no circumstances shall the name Mesalands Community College be used without express permission of the President.

MEETINGS – 8.7

Employees are required to attend all general employee meetings and other assigned committees as assigned.

POLITICAL ACTIVITIES – 8.8

Mesalands Community College recognizes that all employees have the right and obligation to be informed active citizens and, with other citizens, have the right to exercise their political responsibilities including voting, discussing political issues, campaigning for candidates and running for and serving in public office. However, no employee shall engage in political activity upon the property of Mesalands Community College or while on College time.

Violation of the above, shall at the discretion of the President, be cause for disciplinary action up to and including termination.

Candidates for elective office or their representatives may contact the President's office to obtain information and policies on campaign activities on College property.

SAFETY – 8.9

The Board and all employees shall take all practical steps to safeguard students, employees, and the public from accidents, and to provide a safe and healthful educational and work environment.

The College expects each employee to be familiar with the Emergency Procedures Handbook and the Emergency Alert System.

Emergency Procedures Handbooks are available at each telephone on campus.

Department responsibility. Each department shall take steps to prevent injuries and to prevent loss of time, productivity and assets. Employees at every level are obligated to support their department's safety efforts and to comply with federal, state and local laws and ordinances pertaining to fire hazards, accident prevention and health maintenance.

Supervisor responsibility. Supervisors are responsible for promoting safe and healthful working conditions for employees. In carrying out this responsibility, established safety procedures and guidelines must be supported. Supervisors shall enforce compliance and apply appropriate corrective procedures for non-compliance.

Employee responsibility. It is incumbent upon each employee to help protect Mesalands Community College's resources, through personal awareness and concern for health and safety.

SECURITY – 8.10

Employees are required to secure all equipment and doors in their work areas before leaving the area.

Building Access

Building security includes an alarm system connected to the police station. The building will be open, during periods of regularly scheduled classes, Monday through Thursday, except holidays, from 7:00 a.m. to 9:00 p.m., and Friday from 7:00 a.m. to 5:00 p.m. If employees need access to the buildings on weekends or other than the stated hours, a key and code can be requested from the Administrative Assistant Specialist for Wind Energy Technology. Failure to comply with building access rules will result in a loss of access privileges.

Personal Property

Mesalands Community College will not be responsible for theft, loss, or vandalism of personal property, including vehicles, while such property is located on College premises.

Reporting Theft or Loss

Any thefts or losses must be reported promptly to the Human Resources office. The divisional Vice President or his/her designee will contact law enforcement agencies and conduct an investigation.

Computer Security

The administration will name a security officer to perform a back-up of every computer owned by Mesalands Community College, at least annually. The data on any computer owned by the College is the property of the institution, and the security officer will make a system-backup of any and all computers as often as considered necessary.

Emergency Alert System

In the event of an emergency situation on campus, the Emergency Alert System (EAS) is to be used in conjunction with the Mesalands Community College Emergency Procedures Plan. The EAS utilizes multiple technologies simultaneously to notify individuals of a threat.

The system sends messages to the College community via intercom paging and voice messaging through the College's telephone system in all offices and classrooms on the main campus. The Student Information System (SIS) posts information on all screens, in all buildings. All faculty and staff will receive email messages on College computers, and those students that provide email addresses will also receive email messages. In addition, employees and students that register their cell phones will receive a cell phone text message. The College Emergency Alert System will be activated for emergency or urgent situations only. In case of an emergency or urgent situation call extension 100 and explain the situation to the operator. The operator will notify the campus official on duty and then the EAS system will be activated. Please see the Emergency Procedures Plan for complete guidelines.

Campus Safety and Security

Mesalands Community College is committed to ensuring the personal safety and well-being of all students and staff on campus. An Emergency Procedures Plan is located by each office phone for quick reference, and the Emergency Alert System (EAS) is the on-campus system for notifying the campus community in the event of an emergency.

One of the most important factors to campus safety and security is clean, well maintained, and well-lit buildings and grounds. Mesalands Community College strives to achieve this. If at any time you observe something that poses a health or safety risk, please dial extension 156 during normal work hours and extension 100 between 5:00 pm and 9:00 pm to report any maintenance needed.

In addition:

- The campus utilizes digital surveillance cameras at various locations in all Mesalands Community College buildings.
- An intrusion alarm system is in operation in all buildings for hours that the campus is closed.

- The campus maintains a fire alarm system and fire drills occur bi-annually.
- The College has emergency exit routes posted in each room.
- An Evening College Coordinator is employed from 5:00 pm until closing, Monday through Thursday to patrol all areas of the main campus to make sure that all areas are safe and secure.
- The Health and Wellness Facility is only accessible through electronic access, and employs digital security cameras

Threat Assessment

Almost all students who have committed violent acts on college campuses had signaled their intentions through threats and warnings. Threat assessment is concerned with whether a student poses a threat, as well as whether he or she has made a threat. Any student can make a threat, but relatively few will follow through with the planning, and preparation necessary to carry it out. At any time a staff or faculty member feels a student poses a threat to self or others, an incident report should be completed and a consultation with the Vice President of Student Affairs should take place as soon as possible. It is important not to profile or categorize students. To date, perpetrators of campus violence have eluded any sort of classification regarding age, nationality, etc.

The Family Educational Rights and Privacy Act (FERPA) permits information about students to be disclosed to “school officials” with a “legitimate educational interest.” If a College official becomes concerned that a student’s comments or behaviors constitute a potential threat, FERPA allows that information to be shared with other College officials whose job it is to deal with such issues.

College Official

For the purposes of health and safety emergencies, Mesalands Community College defines a College official as a person employed by the College in an administrative, supervisory, academic, or support staff position; a person or company with whom the College has contracted as its agent to provide a service, or a person serving on the Board of Trustees. Disclosure of student information will be in accordance with Family Educational Rights and Privacy Act Section 99.36 (a), (b1,2,3), (c): 99.36 (a) An educational agency or institution may disclose personally identifiable information from an education record to appropriate parties, in connection with an emergency if knowledge of the information is necessary to protect the health, or safety of the student or other individuals.

(b) Nothing in the Act or this part shall prevent an educational agency or institution from-

1. Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that

posed a significant risk to the safety or well-being of that student, other students, or other members of the school community;

2. Disclosing appropriate information maintained under paragraph (b)(1) of this section to teachers and school officials within the agency, or institution who the agency or institution has determined have legitimate educational interests in the behavior of the student; or
3. Disclosing appropriate information maintained under paragraph (b)(1) of this section to teachers and school officials in other schools, who have been determined to have legitimate educational interests in the behavior of the student.

(c) Paragraphs (a) and (b) of this section will be strictly construed.

WEAPONS AND FIREARMS – 8.11

Persons possessing firearms, ammunition, explosives, or edged weapons are prohibited from carrying, conveying or storing such materials on or in College properties and functions unless expressly allowed by the President after receiving full federal background checks and/or holding a valid concealed carry permit recognized by the State of New Mexico. Law enforcement officers authorized by state law to carry firearms (30-7-2 NMSA 1978) and materials authorized for instructional purposes are exempt from this provision.

Violation of this policy may result in termination.

CONSENSUAL RELATIONS – 8.12

A. Policy Statement

When individuals involved in a consensual romantic or sexual relationship are in the positions of unequal power at the College, there is the potential for a conflict of interest, favoritism and exploitation. These relationships may be less voluntary than the person with greater powers perceives or circumstances may change, and conduct that once was welcome may become unwelcome. The fact that a relationship was initially consensual does not insulate the person with greater power from a claim of sexual harassment.

To ensure the College's academic and work environment remains free from real or apparent conflicts of interest, favoritism and exploitation, this policy prohibits certain consensual romantic or sexual relationships between (1) faculty/administrators/staff members and students; and (2) supervisors, subordinates or coworkers. These prohibitions are set forth below in greater detail.

B. Policy/Procedures

1. Faculty/Administrators/Staff Members/Coaches Relationships with Students

No faculty member shall have a romantic, unprofessional and/or sexual relationship, consensual or otherwise, with an of-legal-age student who is being taught or advised by the faculty member or who the faculty member supervises, evaluates, advises, or provides other professional advice or services as part of a College program or activity.

No administrator, staff member or coach shall have a romantic, unprofessional and/or sexual relationship, consensual or otherwise, with an of-legal-age student who the administrator, staff member or coach supervises, evaluates, advises, trains, coaches or provides other professional advice or services as part of a College program or activity.

This prohibition is not applicable to faculty members, administrators or staff members whose spouse enrolls for classes at the College.

If a relationship develops that is potentially in violation of the statements above, the employee will, as soon as possible, disclose such to their supervisor, and other work or learning arrangements will be made for the student that will remove the student from the situation, wherein either potential favoritism or potential abuse through leveraging the personal relationship to gain personal benefits are possible.

Any legal adult employee who has a romantic or sexual relationship with a minor student will be immediately terminated. Mesalands Community College will consider the violation of this policy as severe and egregious and direct contravention of the College's best interests. Violation of this policy, therefore, will result in immediate termination when any such relationship is discovered and verified, and law enforcement will be notified.

2. Relationships Between College Employees

For purposes of this policy "supervisory or evaluative authority" means the power to control or influence another person's employment, academic advancement or extracurricular participation, including but not limited to hiring, work conditions, compensation, promotion, discipline, admission, grades, recommendations, financial support, or participation in extracurricular programs.

A. Relationships Between Supervisors and Subordinates

Romantic, unprofessional and/or sexual relationships between College employees where one College employee has supervisory or evaluative authority over the other are prohibited and must be avoided.

Mesalands Community College will consider the violation of this policy as severe and egregious and direct contravention of the College's best interests. Violation of this policy, therefore, may result in immediate termination.

B. Relationships Between Coworkers Who Have No Supervisory or Evaluative Authority Over One Another.

A consenting romantic, unprofessional and/or sexual relationship between co-workers who have no supervisory or evaluative authority over one another may interfere with or impair the performance of professional duties and responsibilities and/or create an appearance of bias or favoritism. Further, such relationships could implicate state ethics laws and/or result in claims of sexual harassment, discrimination or retaliation. Such relationships, therefore, are strongly discouraged.

3. Reporting Procedures

If a romantic, unprofessional and/or sexual relationship already exists or develops between (a) College faculty/administrators/staff members or coaches and his or her students; or (b) College employees where one employee has supervisory or evaluative authority over the other, there must be prompt disclosure of the relationship. College employees involved in a relationship prohibited by Section 8.12(B)(1) or (B)(2)(a) should provide written notification to Human Resources. For relationships in existence as of the effective date of this policy, disclosure must occur within thirty (30) days of this effective date. Relationships that develop after the effective date of this policy must be disclosed immediately.

Failure to comply with these disclosure requirements constitutes a violation of policy and may be grounds for discipline, up to and including termination.

HIV/AIDS POLICY – 8.13

This policy applies to all students, faculty and staff or others using College facilities or services that have been diagnosed with HIV infection or AIDS.

Non-Discrimination Policy

Faculty, staff, students or others using College facilities or services that have been diagnosed with HIV infection or AIDS shall be protected from discrimination in accordance with state and federal law.

Faculty or staff members who have been diagnosed with HIV infection or AIDS shall be protected from discrimination in their employment.

Students who have been diagnosed with HIV infection or AIDS shall be protected from discrimination in their educational program, College services, or opportunities. The existence of any form of HIV infection may not be considered in the initial admission decision for people applying to attend the institution. Students who have been diagnosed with HIV infection or AIDS, whether they are symptomatic or not, will be allowed regular participation in their academic program of study in an unrestricted manner as long as they are physically and mentally able to meet the requirements of that participation.

Enforcement

Violations of this nondiscrimination policy will be handled through appropriate disciplinary processes for students, faculty, and staff.

Reasonable Accommodation

Individuals who have been diagnosed with HIV infection or AIDS and who require reasonable accommodation should contact the Vice President of Student Affairs (if a student) or the Human Resources office (if an employee).

Confidentiality and Records

Information concerning any aspect of HIV/AIDS will be handled with extraordinary care. In general, no specific or detailed information concerning HIV infection or AIDS diagnosis should be provided to faculty, administrators, or even parents, without the expressed written consent of the person in each case except as mandated by court order. This position with respect to student records is supported by the Family Education Rights and Privacy Act of 1974. The inclusion of any specific information about the existence of known HIV infection or AIDS diagnosis will be kept in a confidential medical file.

The number of people in the College who are aware of the existence and/or identity of students, faculty, or staff who have been diagnosed with HIV infection or AIDS should be kept to an absolute minimum of those who truly need to know, both to protect the infected person and to avoid the generation of unnecessary fear and anxiety among others. There shall be no lists or logs kept identifying individuals known to have been diagnosed with HIV infection or AIDS. The

potential for compromise of confidential information far exceeds any conceivable benefit of such listings.

HIV/AIDS Information

Mesalands Community College will have available in its library information on HIV/AIDS.

SECTION 9

DISCIPLINARY/GRIEVANCE PROCEDURES

MESALANDS COMMUNITY COLLEGE'S RIGHTS – 9.1

Mesalands Community College will retain its right to:

1. Determine the mission of Mesalands Community College; to establish and implement educational programs and standards; to exercise control and discretion over Mesalands Community College operations in an efficient manner.
2. Hire, promote, transfer, or demote employees to serve the needs of Mesalands Community College.
3. Suspend, dismiss, or take other disciplinary action against classified employees for just cause.
4. Relieve employees from duties because of lack of work, lack of funds, or for other legitimate reasons.
5. Determine the methods, means, and personnel by which such Mesalands Community College operations are to be conducted.
6. Take other actions in the best interest of Mesalands Community College not delineated above.

BASIS FOR EMPLOYEE DISCIPLINE – 9.2

Disciplinary actions are based on just cause for all classified employees. Disciplinary actions will be consistent with governing laws and regulations, and will be taken without regard to race, color, ancestry, religion, national origin, sex, age, physical or mental disability, serious medical condition, veteran status, spousal affiliation, sexual orientation, gender identity, any other basis prohibited by federal, state, or local law, or any other non-merit factor.

1. Just cause is defined as any conduct, action or inaction arising from, or directly connected with, the employee's work which is inconsistent with the employee's obligation to the employer, and reflects the employee's disregard of the employer's interest. Just cause includes, but is not limited to: inefficiency; incompetency; theft; misconduct; negligence;

insubordination; violation of Mesalands Community College policy or procedure; unauthorized use of Mesalands Community College funds, property, facilities, materials, repeated tardiness and excessive absences, or performance which continues to be inadequate after reasonable efforts have been made to correct the performance problems; or for conviction of a felony or for a misdemeanor as described in the Criminal Offender Employment Act, NMSA 1978, §28-2-1 *et seq.*

CONSULTATIONS FOR EMPLOYEE DISCIPLINE – 9.3

1. A supervisor will take disciplinary action against an employee under his authority which is consistent with Mesalands Community College policies and this Personnel Handbook. Copies of any documented disciplinary action must be furnished to the Human Resources office with the signature of the recipient acknowledging receipt of the action.
2. Dismissal or suspension requires consultation with the Human Resources office prior to notice being given to the employee. Whenever such consultation is not practical because of the circumstances, the employee will be placed on leave with pay and the circumstances reviewed as soon as possible by the Human Resources office.

PROGRESSIVE DISCIPLINE – 9.4

Full-time classified employees and full-time faculty will be progressively disciplined whenever possible. Progressive discipline will not always be implemented. The step of corrective action used depends on the severity of the infraction and the employee's previous work record. Under certain circumstances, as described below, suspension or termination may be the appropriate first step. Each case of inadequate performance or act of misconduct will be judged individually to determine the appropriate disciplinary action.

A. Verbal counseling

A verbal reprimand is used for minor infractions such as informing the employee that his behavior and/or conduct need(s) to be changed. Supervisors will keep written notations of verbal reprimands, and may place a notice of verbal counseling in the employee's personnel file.

Causes for verbal reprimands include, but are not limited to:

1. substandard work performance including failure to complete assignments or failure to complete them in a timely manner, inaccurate or unprofessional appearing work product, interrupting other employees and keeping them from completing their work, excessive use of the telephone for personal business, loud and disruptive conduct, conducting personal business while on duty;
2. tardiness or excessive absences.

B. Written reprimand

1. An employee will receive a written reprimand at the discretion of the supervisor because the deficiency or infraction is of a greater degree than that for which a verbal reprimand would be used or if verbal counseling was not effective. Causes for written reprimands, also include, but are not limited to:
 - a. all causes listed for verbal reprimands
 - b. repeated absences or tardiness
 - c. violation of Mesalands Community College's policies and procedures
2. Written reprimands will be placed in the employee's personnel file by the supervisor after providing the employee with a copy. The employee will be asked to acknowledge having read the comments by signing the statement. If the employee refuses to sign, a witness must attest in writing that the statement was presented to the employee for his/her signature. The employee may respond within five days with a written rebuttal, which will be placed in the employee's personnel file.
3. The written reprimand may be removed from the employee's personnel file 24 months after the employee received the reprimand, provided the employee has not received another written reprimand, or other disciplinary action during the 24-month period.
4. Written reprimands do not require notice in advance of the reprimand.

C. Suspension

An employee may be suspended without pay for a single serious offense, or for continued inadequate job performance, or misconduct after previous attempt(s) to correct such have failed. Such suspension will not exceed twenty (20) working days. Causes for suspensions include, but are not limited to:

1. the causes listed for verbal counseling and for written reprimands

2. continued instances of poor performance
3. negligent damage to property and/or injury to person(s)

D. Dismissal

1. Dismissal is the final consequence when progressive discipline has failed to change unacceptable behavior, or performance. It can also be the first or only disciplinary action if the employee has engaged in behavior that is very serious in nature, and which is unacceptable for Mesalands Community College employees.
2. Grounds for dismissal include, but are not limited to:
 - a. all causes listed for the previous three disciplinary actions, if continuing attempts to correct the problem(s) have failed
 - b. insubordination - failure to follow a reasonable or lawful order
 - c. refusal or failure to comply with Mesalands Community College policy
 - d. disruptive conduct interfering with Mesalands Community College operation
 - e. theft of Mesalands Community College property
 - f. unauthorized use of Mesalands Community College property, facilities, materials, or other Mesalands Community College assets for personal use
 - g. intentional abuse or destruction of Mesalands Community College equipment and/or property
 - h. acts of negligence causing serious damage to Mesalands Community College property or to persons,
 - i. conviction of a job related felony, or misdemeanor pursuant to the Criminal Offender Employment Act, NMSA 1978, §28-2-1 *et seq.* ,
 - j. accepting gratuities,
 - k. falsification of information on the employee's job application, or other Mesalands Community College records
 - l. failure to meet the standards of Mesalands Community College's Drug Policy,
 - m. possession or use of firearms, or other weapons on Mesalands Community College premises,
 - n. failure to participate in administrative investigations,
 - o. any other conduct deemed not to be in the best interest of Mesalands Community College, and its employees.

3. The above examples are typical of the classes of infractions sometimes encountered, but are not inclusive of all situations warranting dismissal without progressive discipline. Mesalands Community College reserves the right to exercise judgment, and render the disciplinary action as determined appropriate based on the circumstances of each case.
4. No employee will be disciplined for refusing to perform an unlawful act.

EMPLOYEE GRIEVANCES – 9.5

Classes of Grievances

- A. Grievances are categorized as Class A and Class B. Class A grievances only cover suspension and dismissal. The final step in the administrative process for Class A is an appeal to an administrative hearing officer. Class B grievances cover dissatisfaction with working conditions and/or working relationships, contract disputes, and employee disputes. The President's decision is the final administrative step in Class B grievances.
- B. Employees who have filed grievances and employees required to give testimony as witnesses in a Class A grievance hearing will be given time off with pay if such meetings are scheduled during their regularly scheduled work hours. Former employees, or employees on suspension, layoff, or other unpaid status will not receive pay to attend grievance hearings.

NOTIFICATION OF DISCIPLINARY ACTIONS/CLASS A GRIEVANCES – 9.6

- A. The employee's supervisor will present the employee with written notification of the intent to suspend, or dismiss the employee. The written notification must specify the reason for the proposed action, the evidence supporting the proposed disciplinary action, the employee's right to a pre-disciplinary meeting, and contain the scheduled time and place of the pre-disciplinary meeting. The pre-disciplinary meeting will not be scheduled for a time less than three working days from the date of the notice of the proposed disciplinary action. A copy of these procedures must be attached. The pre-disciplinary notice must be hand-delivered to the employee, and initialed by him/her or sent to the employee via certified mail.
- B. In cases where Mesalands Community College property, other employees, or citizens are at risk as a result of the employee's actions, the employee's supervisor may place the employee on administrative leave with pay while an investigation is being done; while the appropriate action is contemplated; and/or until the pre-disciplinary meeting is held and the decision is rendered.

PRE-DISCIPLINARY MEETING/CLASS A GRIEVANCES – 9.7

- A. Within two working days of the receipt of notification of the disciplinary measure, the employee is required to notify, in writing, the Human Resources office to indicate whether or not he/she will attend the scheduled pre-disciplinary meeting. The pre-disciplinary meeting is informal and is between the President or his/her designee, the employee, and the supervisor. An employee who does not want to participate in the pre-disciplinary meeting may respond to the notice of contemplated action in writing.

- B. Immediately upon receipt of the employee's written statement that he/she will participate in the pre-disciplinary meeting, the Human Resources office will confirm the scheduled time or set the time, place, and date of the pre-disciplinary meeting. The Human Resources office will make available to the employee all statements, documents, or other tangible evidence deemed by the supervisor to constitute evidence. Mesalands Community College will provide copies of any requested documentation at \$1.00 per page.

- C. The President, or his designee will meet with the employee and the employee's supervisor at the appointed meeting time. At this pre-disciplinary meeting, the employee will have the opportunity to respond to the proposed disciplinary action. The meeting will be held at the scheduled time unless a continuation is mutually agreed upon by both parties in writing. In no event will the continuation period go beyond five working days of the receipt of the proposed action by the employee.

- D. The President will issue a decision in writing, or approve the written decision of his designee within five working days of the pre-disciplinary meeting. The written decision will include the time, date, and location of the meeting; persons present; and the determination including the basis for the decision and the effective date of the disciplinary action. The written decision will be either delivered directly to the employee (obtaining employee's signature of receipt of the decision), or be sent by certified mail. The employee has a right to grieve the President's decision to a neutral hearing officer appointed by Mesalands Community College. The hearing officer will not be a current or former employee of Mesalands Community College, or current or former member of the Board of Trustees.

- E. The employee will not conduct any activity under his/her contract after the effective date of the dismissal or suspension.

POST-DISCIPLINARY HEARINGS/APPEALS TO A HEARING OFFICER – 9.8

- A. Within 10 calendar days of receipt of the President's notice of determination upholding the suspension or dismissal, the grievant must notify Mesalands Community College of his/her intent to avail himself/herself of a post disciplinary hearing conducted by a hearing officer by sending a written request for a grievance hearing to the Human Resources office. The President will appoint the hearing officer. If the President reduces a proposed suspension, or dismissal to a written reprimand, the employee's right to a hearing before a neutral hearing officer is abated.
- B. Within a reasonable time, the hearing officer will schedule a grievance hearing. At this hearing, the grievant may have legal counsel and will have an opportunity to present witnesses and physical evidence and cross-examine Mesalands Community College's witnesses.

PROCEDURE FOR CONDUCTING THE POST-DISCIPLINARY HEARINGS – 9.9

A. Rules of Procedure

- 1. Within a reasonable time after receiving a request for a grievance hearing the hearing officer will determine the date, time, and location of the hearing and any continuances. The hearing will be conducted at a time and place which is mutually convenient to all parties concerned. Requests for continuances of hearings will be made at least five working days prior to the scheduled hearing, absent extenuating circumstances. A request for continuance of the hearing will be made in writing directly to the hearing officer.
- 2. The post-disciplinary hearing will be conducted as an open meeting, with notice given to the public pursuant to the New Mexico Open Meetings Act and Mesalands Community College's Open Meetings Resolution.
- 3. The hearing officer will:
 - a. determine the order of agenda items,
 - b. rule on procedural and substantive issues,
 - c. determine the admissibility of evidence and testimony all of which must have a direct bearing on the issue before the hearing officer, according to the evidentiary standard for administrative agencies, and
 - d. issue written findings and conclusions.

4. Prior to the hearing, the parties will stipulate to the facts and issues to the greatest extent possible in writing.
5. At least five calendar days prior to the hearing, all parties must submit to the hearing officer, and opposing party a statement identifying the issues to be heard, a witness list, and a complete list of documents to be admitted as evidence.
6. The parties will prepare copies of all exhibits and evidence, which are expected to be presented at the hearing and serve the opposing party at least five calendar days before the hearing. Each party will bring a copy of all exhibits to the hearing for the hearing officer. The parties will stipulate to exhibits to the extent possible.
7. Witnesses in grievance hearings are not admitted to the hearing room until called upon to testify.
8. Notice of the hearing will be sent concurrently to both parties postmarked at least 10 days prior to the scheduled hearing.
9. A record of the hearing will be made electronically, and/or by a certified court reporter.
10. In the grievance hearing, the College will be represented by legal counsel and the employee may be represented by legal counsel as well.

B. The hearing will be conducted in the following manner:

1. Opening Statement of Issues:

Mesalands Community College will present its statement of the issues, followed by the grievant. Opening statements are limited to the pertinent issues of fact and law and will not exceed 10 minutes without permission of the hearing officer.

2. Order of Presentation:

a. Mesalands Community College's Presentation:

Mesalands Community College will present its case to the hearing officer first because Mesalands Community College has the burden of proving that the grievant was disciplined for cause. Following the testimony of each of Mesalands Community College witnesses, the grievant will have the opportunity to cross-examine the witness as will the hearing officer. Follow-up or redirect questioning by Mesalands Community College will be allowed.

b. Grievant's Presentation:

Following the testimony of each of the grievant's witnesses, Mesalands Community College will have the opportunity to question the witness on matters related to his/her testimony, as will the hearing officer. Follow-up or redirect questioning will be allowed by grievant.

c. Rebuttal Testimony:

Following the grievant's presentations; Mesalands Community College may offer rebuttal testimony. Such testimony will be brief, and will address only the issues brought forth in the grievant's presentation.

d. Closing Statements:

Mesalands Community College's closing statement will be presented, followed by those of the grievant. These statements will not exceed 10 minutes without the permission of the hearing officer and at a minimum will contain a request for the desired outcome. Mesalands Community College will have the opportunity to make a final statement, not to exceed five minutes, which will be limited to issues brought forth in the grievant's closing statement.

C. Hearing Officer's Decision:

At the conclusion of all presentations, the hearing officer will adjourn the hearing. The hearing officer may request proposed written findings and conclusions of law from each party at a mutually convenient time, not to exceed 30 days from the completion of the hearing. The hearing officer will prepare written findings and conclusions of law within 15 days of receiving the findings and conclusions from the parties. The decision of the hearing officer will be final and binding, unless either party petitions the Tenth Judicial District for writ of certiorari within 30 days of entry of the hearing officers decision.

D. Communication of Hearing Officer's Decision:

The hearing officer's decision will be signed and transmitted to the parties. The stenographic record of the proceedings will be retained by Mesalands Community College or the certified court reporter for a period of at least one year from the hearing date, along with all of the physical evidence admitted by the hearing officer. The verbal record will be transcribed only in the case of appeal to the district court by a party. The whole record of the hearing, plus all admitted exhibits, must be submitted to district court by Mesalands Community College upon appeal by either party.

PROCEDURE FOR PRESENTING GRIEVANCES CONCERNING WORKING CONDITIONS AND OTHER WORK RELATED PROBLEMS/CLASS B GRIEVANCES – 9.10

The following procedure is intended to provide classified employees with a means to secure, at the lowest possible level, equitable solutions to an employee's grievance which may arise regarding working conditions and other work related problems. A Grievance Form to be used in filing a Class B grievance is available in the Human Resources office.

Step One: Meeting with immediate supervisor

1. The employee is required to contact his immediate supervisor within five calendar days of the incident or action being grieved.
2. The employee and his immediate supervisor will meet within five calendar days of the day the employee brought the complaint forward to his supervisor to explore ways to resolve the grievance informally.
3. Additional meetings may be required and the time limits may be extended by consent of both parties in writing.
4. Within five calendar days of the completion of the meeting(s) with the employee, the supervisor will provide the employee with a written decision.

Step Two: Meeting with the department director or Vice President

1. If the employee is dissatisfied with his immediate supervisor's decision, the employee will, within five calendar days following receipt of his supervisor's written decision, submit a written grievance to his department director or Vice President. The issues will be identified in the written grievance, and the immediate supervisor's written decision will be attached.
2. The department director or Vice President will meet with the employee within five calendar days of receipt of the employee's written grievance for a thorough discussion and resolution of the matter.
3. The department director or Vice President will respond in writing to the employee within five calendar days of the meeting.

Step Three: Meeting with the Human Resources Specialist

1. If the employee is dissatisfied with the department director or Vice President's decision, the employee will, within five calendar days following

receipt of the department director or Vice President's written decision, submit a written grievance to the Human Resources Specialist. The issues will be identified in the written grievance, and the immediate supervisor as well as the department director or Vice President's written decision will be attached.

2. The Human Resources Specialist will meet with the employee within five calendar days of receipt of the employee's written grievance for a thorough discussion and resolution of the matter.
3. The Human Resources Specialist will respond in writing to the employee within five calendar days of the meeting.

Step Four: Meeting with the President

1. If the employee is dissatisfied with the Human Resources Specialist decision, the employee may appeal the decision of the Human Resources Specialist to the President in writing within five calendar days of the receipt of the Human Resources Specialist written decision.
2. The employee and one witness of his/her choice (if desired) and the immediate supervisor will meet with the President within five calendar days of receipt of the written request from the grievant. The President may appoint a designee to attend this meeting and to resolve the matter. Within five calendar days of the meeting, the President will advise the employee in writing of his decision or advise the employee in writing that the President concurs with or disagrees with the designee's recommendation for resolving the matter. The President's decision will be final.

TIME LIMITS, COMPLIANCE WITH PROCEDURE – 9.11

- A. Time limits set forth in Section 9 of this handbook may be extended only by written mutual agreement of the parties.
- B. Failure by either Mesalands Community College or the grievant to meet the requirements in these grievance procedures will mean adjudication of the matter in the other party's favor at that step in the grievance procedure.

CONDITIONS OR ACTIONS NOT GRIEVABLE – 9.12

- A. Disputes concerning established Mesalands Community College policy should be brought directly to the Human Resources Specialist.
- B. Matters where Mesalands Community College is without authority to act or does not have the ability to provide a remedy.

- C. Temporary employees prior to or at the end of their anticipated employment period.
- D. Unclassified employees dismissed at any point during their employment with Mesalands Community College.
- E. Employee complaints charging discrimination based on race, color, ancestry, religion, national origin, sex, age, physical or mental disability, serious medical condition, veteran status, spousal affiliation, sexual orientation, gender identity or any other basis prohibited by federal, state or local law will be administered by the President or his designee in compliance with the policy on discrimination and sexual harassment. See Section 8 of this handbook.
- F. Transfers, temporary assignments, removal from temporary assignments, and promotions.
- G. Position desk audits, position classifications, performance appraisals, written reprimands, or selection for vacant positions.
- H. Non-renewal of employment contracts.

ADMINISTRATIVE LEAVE – 9.13

At Mesalands Community College, administrative leave occurs when an employee with benefits is relieved of their normal responsibilities while continuing to receive regular pay and benefits. An employee may be placed on administrative leave by their immediate supervisor or any other supervisor in the chain of command at any time, without any prior notice, and for any lawful and business-related reason. While on administrative leave you are not authorized to return to campus for any reason.

A supervisor should consult with the office of Human Resources before placing an employee on administrative leave, unless extreme circumstances exist where the employee must be removed from the workplace before Human Resources can be notified. Extreme circumstances include situations where the employee is an immediate threat to other individuals, College property, or sensitive information.

A common example of a situation requiring administrative leave is an incident requiring fact-finding processes (such as an allegation of misconduct). In such cases, the college may need to place employees on administrative leave pending the results of such fact finding. Any full- or part-time leave-eligible employee who may have been involved in an incident may be placed on administrative leave until the fact finding is complete, any legal action is complete, the College

decides to assign the employee to the same or an alternate work assignment, or until a decision is made about any disciplinary action to be taken.

Administrative leave may also be applied in situations where an employee must be removed from duty while management ascertains whether the employee is physically and mentally able to perform the duties of their job.

Administrative leave is not an adverse employment action; therefore, an employee may not appeal being placed on administrative leave.

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SECTION 10

LEAVING US

RESIGNATIONS – 10.1

Due Consideration Before Signing Contract

In an academic setting it is unprofessional to enter into a contract which the employee does not intend to honor. Prior to signing a new contract for the next fiscal year, due consideration should be given to your decision to do so.

Resignation of Faculty

An instructor must give the institution twenty business days (not to include holidays) written notice of the intention to resign, and a resignation may not become effective before the end of a semester or term except with written approval of the President. The President, or designee, may waive the giving of such notice and accept a resignation provided the exit procedure has been completed.

Resignation of Employees Other Than Faculty

Employees other than faculty shall provide Mesalands Community College with written notice of resignation not fewer than two weeks prior to the effective date of the resignation, or as otherwise provided for in the employee's contract. Holidays will not be included. Notice may be waived by the President, or designee, provided the exit procedure has been completed.

Failure to Give Notice

Failure to give the required notice of resignation will result in the employee being ineligible for rehire.

EXIT PROCEDURE – 10.2

When the employee is leaving employment with Mesalands Community College for whatever reason, the following procedure should be followed:

The employee shall meet all financial obligations to the institution; return all equipment, building, cabinet and vehicle keys into the direct supervisor.

Amounts Due to the College

At the time of termination or resignation any amounts owed to the College will be deducted from the final pay amount.

COBRA BENEFITS – 10.3

SEE SECTION 6 OF THIS HANDBOOK.

SECTION 11

MISCELLANEOUS

ACCIDENTS, ILLNESSES, AND INJURIES – 11.1

If a person becomes ill or is injured, employees should provide or summon first aid assistance and take additional action as described below:

Possibly Life-Threatening Situations

The City of Tucumcari Police Department will be called immediately (Dial 911 or 461-2160). The police dispatcher will then direct the call to the ambulance or fire department as needed depending upon the situation. Notify Emergency Alert System authorized personnel.

Non-Life-Threatening Situations

If medical care is deemed necessary and the injured or sick person is considered capable of rational judgment, but is unable to drive, the person may:

- Request that an ambulance be called;
- Request that a relative be called; or
- Make other arrangements as dictated by the circumstances.

The cost of emergency transportation is the responsibility of the injured or sick person.

The President or his designee shall be notified when transportation to a medical facility is necessary.

The Human Resources office should be notified and given a report of accidents occurring on College property, or to damage occurring to College property.

Please refer to the Emergency Procedures Handbook located near each campus telephone.

CHANGE OF PERSONAL INFORMATION – 11.2

The Human Resources office is to be promptly notified of any change in an employee's name, address, or telephone number. Notification should be submitted in writing. Upon request, the Human Resources office will withhold this information from other employees and the general public.

COPIES – 11.3

Mesalands Community College copiers are for College use. Personal copies can be made for a small charge. Contact the business office for the current charge for personal copies.

ELECTRONIC SYSTEMS USE – 11.4

Electronic systems such as computer, e-mail and voice mail are provided for legitimate College business purposes. These electronic systems are not for private or personal use. The employee should not expect privacy rights to the contents of electronic systems, and the College has the right to review, audit, intercept, and disclose all matters sent over its electronic systems.

Use of College electronic systems for unlawful, defamatory, obscene, or other inappropriate communications is prohibited. Inappropriate use of electronic systems of the College, will result in appropriate disciplinary action up to and including discharge.

All employees are required to obtain, read, and acknowledge agreement, prior to use of the computers, a copy of the Computer Use Guidelines for Staff. It will be determined that the employee has the appropriate skill level needed to have access to particular computer resources prior to obtaining access.

EQUIPMENT/TOOLS-PRIVATE USE PROHIBITED – 11.5

The private use of Mesalands Community College equipment or tools, or their removal from campus, is prohibited.

FACILITIES USE – 11.6

In its efforts to serve the community as fully as possible, the College may make available for use by local, non-profit, groups (for non-political, non-sectarian and non-commercial activities) College buildings and grounds with no rental charge during normal operational hours. Restrictions do apply and charges will be levied for use outside normal operational hours, for use by profit organizations and for use of College equipment and/or personnel. All requests for facilities use, and current costs should be forwarded to the administrative secretary of the Vice President of Academic Affairs.

All requests for facilities use should be accompanied by a certificate of insurance naming the College as additional insured.

FAX MACHINES – 11.7

Fax machines are for College use. Personal faxes may be sent for a charge per page. Please contact the Business Office for the current per page charge.

FIRES, ALARMS, AND EMERGENCY EVACUATIONS – 11.8

Fire

If a fire is observed, pull a fire alarm, call 911, notify the Mesalands Community College operator at extension 100, and leave the building. Only if you can do it safely, use a fire extinguisher to put the fire out.

Fire Alarm Activated

When a fire alarm sounds an alert for emergency on campus, all personnel must evacuate the building promptly. Instructors should give instructions for students to leave the building immediately by the nearest exit, lock desks, cabinets and doors and turn out lights before leaving if time permits. Mesalands Community College participates in an active fire drill plan as required by the state fire marshal. When it is safe to return, the all clear is given by bells, via the public address system when available, or by courier.

Evacuation Routes

Fire evacuation routes are posted for all campus locations and must be observed.

Please refer to the Emergency Procedures Handbook located near each campus telephone.

LIBRARY – 11.9

Materials available for checkout in the library are available for checkout by employees as well as students. Your Mesalands Community College I.D. card may be used for this purpose.

PARKING – 11.10

Parking is available at all Mesalands Community College facilities. Only unsecured parking is available and motorists using Mesalands Community College parking lots do so at their own risk. Parking permits are required on all vehicles, motorcycles, and must be obtained from Student Affairs and placed on the vehicle accordingly.

Employee Parking

Employees are required to park away from the buildings, reserving the spaces closer to the buildings for students and visitors. At Building A, employees are asked to park across the street in Lot 1. Members of the Executive Team and others, such as recruiters who have a need to come and go from campus regularly may park closer to buildings to facilitate their work. Employees who

have difficulty walking due to age or injury may also park closer to the building as a matter of practicality.

PROPER IDENTIFICATION – 11.11

College Security Photo Identification Card (ID)

All employees must obtain a College Security Photo ID from the Library.

PUBLICATIONS – 11.12

Each employee is responsible for being familiar with the contents of the Personnel Handbook. In addition, each faculty member is responsible for being familiar with the contents of the Faculty Handbook.

All materials published by or through Mesalands Community College--including but not limited to brochures, flyers, posters, newsletters, letterhead, advertisements, certificates and audiovisual materials--must be approved by the office of public relations and bear appropriate state and federal notices.

All materials published by or through Mesalands Community College shall bear the official Mesalands Community College logo.

PURCHASING – 11.13

All purchases must be approved by the appropriate Vice President and a purchase order be in hand before the order or purchase is made. Refer to the Administrative Affairs Manual for specific procedures.

Please note that, among other procurement requirements, all requisitions over \$5,000 must have an oral quote form attached with three quotes from different suppliers.

Purchases of \$5,000 or more require three (3) competitive quotes as follows:

- \$5,000-\$9,999 – verbal, catalog, and/or Internet quotes
- \$10,000-\$19,999 - vendor letterhead quotes
- \$20,000 or more - sealed bids

Purchases in excess of \$19,999.00 require Board of Trustees approval. Any employees not following the correct purchasing procedure will be personally responsible for the purchases.

REFERENCES FOR CURRENT AND FORMER EMPLOYEES AND STUDENTS – 11.14

All work reference requests by phone or in writing for current or former employees should be directed to the Human Resources Director. Any personal references can be given by employees as long as the reference is not on behalf of Mesalands Community College and not written on official Mesalands Community College letter head.

Personal letters of recommendation for students or student employees can be written as long as the letters are not put on official Mesalands Community College letter head.

STUDENT RECORDS – 11.15

Any employee receiving requests for examination/release of student records shall forward such request to the Office of Enrollment Management.

SURVEYS, QUESTIONNAIRES AND RESEARCH PROJECTS – 11.16

Surveys, questionnaires and research projects involving staff and students shall be approved in advance by the President or designee for content and appropriateness, and shall contain the name of the person or organization conducting the activity and the purpose of the activity.

Participant identification may be required only if essential to the results. Confidentiality shall be guaranteed.

Students and staff may be required to participate only if the study was prepared by or for Mesalands Community College for its official use, or to meet a requirement of law. Participation in all other studies is voluntary, and a statement to that effect shall be approved by the President or designee.

MESALANDS COMMUNITY COLLEGE TELECOMMUTING POLICY – 11.17

POLICY

Telecommuting provides employees with an opportunity to work from an alternative work place instead of the primary location at Mesalands Community College. Telecommuting should be voluntary on the part of the employee (unless it is a condition of employment), must not interfere with regular office or department functions, benefit the department and College, and requires management approval. The quality of an employee's work and services must not be compromised as a result of telecommuting.

DETERMINING ELIGIBILITY TO TELECOMMUTE

Telecommuting is normally reserved for employees in exempt administrative and faculty positions. However, a nonexempt employee may be recommended by their supervisor and receive approval to telecommute with the understanding that the employee continues to be responsible for accurately recording daily work hours, start and stop times for meal periods and otherwise comply with College policies regarding employment and work hours such as rest breaks and overtime.

The following should be taken into consideration in determining eligibility to telecommute:

Business Rationale – How will this arrangement benefit the work team, office and the College? Justification may include, but is not limited to, increased productivity, as well as staffing, instruction, and support needs for online academic programs and courses, improved customer service, more efficient use of space or equipment, and/or lowering operating costs.

Impact on Service – How will services be affected because the employee is not on campus? How will requests for immediate on-campus assistance be addressed on days on which the employee is telecommuting?

Supervisory Oversight – Telecommuting requires a focus on results and productivity rather than in person face time, and requires trust and effective communication between a supervisor and employee.

Position – Supervisors and employees should thoroughly analyze job descriptions, responsibilities, and how the work is performed. Appropriate positions may be those that:

1. Require independent work
2. Require fully online presence
3. Duties can be fulfilled without physical presence on campus
4. Absence on campus does not negatively affect the ability of other College departments or offices/units within a department to provide services, instruction and/or to conduct business
5. Do not affect the employee's supervisory responsibilities and interactions with direct reports
6. Require concentration
7. Result in specific, measurable outcomes
8. Can be evaluated by output
9. Require equipment and technology that can be easily accessed

Employee – Supervisors and employees should also consider employee work style and performance history. Characteristics indicative of success may include:

1. The ability to work productively on one's own
2. Self-motivation and flexibility
3. Thorough knowledge of job responsibilities
4. A low need for face-to-face social interaction
5. Consistent effective and successful performance evaluations
6. Excellent organizational and time management skills
7. Effective communication skills
8. Honesty and dependability

REQUEST AND APPROVAL PROCESS

Employees hired with the expectation of telecommuting full time are exempt from this section (III.)

Request to Telecommute

Supervisors complete the Telecommuting Request and Agreement in discussion with the employee and submit it to the appropriate VP and schedule a time to discuss the request.

DURATION AND CONTINUATION

A request to telecommute may not exceed 12 months in duration from the date on which an approved agreement commences. Continuation of a telecommuting arrangement beyond the approved end date is neither automatic nor guaranteed and is subject to the processes outlined in section III.A. Request to Telecommute and section III.C. Approval.

APPROVAL

The supervisor submits the request to the Vice President (VP) for the department, who in turn will assess the feasibility of the request and its impact on services provided to the College. All requests approved by the VP to telecommute require review by the President's Executive Team to assess impact and determine whether the position is appropriate for a telecommuting agreement. Final approval rests with the President. The Telecommuting Request and Agreement must be completed in full and signed by the employee, supervisor and Vice President prior to it taking effect.

Mesalands Community College retains the right in its sole discretion to determine if a position is appropriate for telecommuting and approve an employee's request. Telecommuting is not an entitlement and the decision to grant an employee's request is determined and approved on a case-by-case

basis. Prior approval to telecommute given to an employee does not guarantee future requests will be approved.

Termination of a Telecommuting Agreement

The College reserves the right to change or terminate a Telecommuting Request and Agreement, or other contractual telecommuting expectation at any time, without cause or advance notice. Likewise, an employee may terminate a telecommuting agreement at any time by providing written notice to a supervisor.

An employee must return College equipment, records, and materials within three days of the termination of a telecommuting agreement.

GENERAL CONDITIONS OF EMPLOYMENT WHILE TELECOMMUTING

Hours of Work – Unless otherwise agreed in the employee contract or a Telecommuting Request and Agreement, an employee's regular hours and days of work will not change. If an employee needs to modify the agreed-upon schedule, the employee must notify the supervisor in advance of the change. The employee is expected to perform duties and responsibilities during work hours as he/she would do if the employee was on campus. Authorized campus closures or early release programs and their terms apply to eligible employees who telecommute.

Work Environment and Dependent Care – It is the responsibility of the employee to ensure that a proper work environment is maintained (e.g., dependent care arrangements are made so as not to interfere with work; personal disruptions, such as personal telephone calls and visitors are kept to a minimum, etc.). Furthermore, telecommuting is not intended as a substitute for child care or care for another adult. If a child or adult needs care during work time, another responsible individual is expected to be present. If dependent care circumstances change, the employee is required to notify the supervisor.

Attendance at Meetings – The employee is expected to attend all required meetings (in-person, conference calls or web-based), and may be required to report for work-related events on or off-campus or to meet with the supervisor in the alternate location, if needed.

Performance Expectations - Performance expectations and evaluations are neither changed nor waived because of a telecommuting arrangement. An employee's job performance will be evaluated in accordance with College guidelines and procedures.

Salary and Benefits – An employee’s salary and benefits will not be affected by telecommuting.

Tax Consequences – The employee is responsible for any tax and insurance consequences associated with the telecommuting agreement and for observing any municipal zoning ordinances regulating the performance of work at home for telecommuting purposes.

Use of Personal Vehicle - While telecommuting, an employee may not use his/her personal vehicle for College business unless specifically authorized by a supervisor.

College Policies, Practices and Procedures – The employee is responsible for complying with College policies, practices and policies while telecommuting.

Use of Leave – The employee is responsible for reporting absences and submitting requests for leave in accordance with department procedures and College policy.

Telecommuting is not to be used in place of sick leave, however, in consultation with Human Resources, a supervisor may choose to offer telecommuting arrangements as an opportunity to accommodate the partial or full return to work based on College policy and the criteria normally applied to decisions regarding the approval of telecommuting and requests for reasonable accommodation due to pregnancy and/or disability.

Changes in Employment - The Telecommuting Request and Agreement does not automatically transfer or continue with an employee who (a) accepts a different position at the College, (b) has a change in job duties, work schedule or other job- related functions/requirements, (c) apply to a position that is vacated and was previously approved for telecommuting, or (d) when there is a change in supervision.

EQUIPMENT AND SUPPLIES ASSOCIATED WITH TELECOMMUTING

The Telecommuting Request and Agreement, or other employee contract for those hired to work entirely online, will specify any costs the College will cover and will reimburse the employee for agreed upon expenses necessary for performing work assignments at the telecommuting location in accordance with College Policy and provided advance authorization has been obtained. Equipment may be owned and maintained by the employee or by the College. Mesalands Community College will not be responsible for operating costs, home maintenance, or any other incidental costs including cost of utilities, associated with the use of the employee’s residence as a telecommuting location.

In accordance with the College's Conflict of Interest Policy, an employee who telecommutes is expected to use college-owned equipment, records, and materials for purposes of College business only, and to protect them against unauthorized or accidental access, use, modification, destruction, or disclosure. The employee is required to notify a supervisor of loss, damage, or unauthorized access at the earliest reasonable opportunity.

SECURITY OF INFORMATION

Employees working in an alternate work location and their supervisors must adhere to all applicable security procedures in order to ensure confidentiality and security of data.

An employee's work computer shall be in compliance with College guidelines for uses of hardware and software including virus protection software, licensing provisions, system security and passwords.

The employee will protect all confidential College documents from unauthorized access.

All products, documents and records that are used, developed, or revised while telecommuting remain the property of Mesalands Community College.

The College may provide hardware and software support, however, internet connection is the responsibility of the employee.

TELECOMMUTING SAFETY

The employee is solely responsible for ensuring the safety of the alternative work location. The Telecommuting Request and Agreement requires an employee to confirm that the alternate work location is, to the best of the employee's knowledge, free of recognized hazards that could cause physical harm. Employees are expected to practice the same safety habits they would use while at the College and to maintain safe conditions in their alternate work location.

The College is legally obligated to provide its employees with a workplace that is free from hazards that might cause serious harm or injury and, therefore, the College reserves the right to periodically inspect the employee's alternate work space. Any such inspection will be preceded by advance notice and an appointment will be scheduled.

Employees who telecommute are covered by the College's Workers' Compensation insurance if injured while performing official duties on campus or at the alternate work location. As such, employees are required to

immediately report any injuries that occur while working by completing an accident report form.

The employee shall be liable for any injuries that occur to third parties at or around the employee's alternative work location.

TELEPHONES – 11.18

The telephones are for official College use. Each employee who needs to make College-related long-distance calls is issued a long-distance code. In cases of emergency, personal long-distance calls may be made, but must be paid for in the business office. Phone usage is monitored periodically for excessive use.

TRAVEL – 11.19

All approved travel expenditures, regardless of funding source, shall be reimbursed as provided for by the policies approved by the Board of Trustees.

Travel Requests

Travel should be submitted at least two weeks in advance of the proposed trip.

Approval

Every employee leaving Tucumcari on College-related business must have prior written approval before leaving campus.

Refer to the Administrative Affairs Manual for specific information regarding per diem rates and appropriate travel request forms.

VEHICLE USE – 11.20

Availability

Mesalands Community College has a limited number of College-owned vehicles available for check-out from Administrative Affairs on a first-come, first-served basis for use on College business. Availability of vehicles is not guaranteed. If an employee fails to follow the procedures for vehicle check-out, use, or check-in at any time, he/she may lose the privilege to use vehicles owned or leased by the College.

Reservations

Reservations may be made when out-of-town travel is involved. In these cases, arrangements should be made at least three working days in advance. Refer to the Administrative Affairs Manual for specific information and/or instruction.

ADDENDUM

**ADMINISTRATIVE PROCEDURES
FOR
POSITION AUTHORIZATION, SEARCH,
SCREENING AND SELECTION**

MESALANDS COMMUNITY COLLEGE

ADMINISTRATIVE PROCEDURES FOR POSITION AUTHORIZATION, SEARCH, SCREENING AND SELECTION

INTRODUCTION

Mesalands Community College is committed to the policy of equal opportunity in employment and education regardless of race, color, religion, national origin, sex, age, physical or mental disability, serious medical condition or veteran status. The guidelines in this document serve to provide an objective, non-discriminatory procedure for filling positions open at the College.

The following guidelines are for full-time and part-time positions at Mesalands Community College. Temporary positions are filled through different procedures not bound by these guidelines.

NEW POSITION

The Vice President or responsible supervisor for the position determines need, develops the job description with Human Resources, and takes the completed Human Resources Request Form, job description, source of funding, need and justification to the President for approval. If the new position is related to a new academic major or degree, the Vice President requests the new position be presented to the Board of Trustees for approval. Otherwise, upon the President's approval, the search proceeds based on the following guidelines.

VACANT POSITIONS

When the Vice President or President determines the need to fill a vacant position the job description is reviewed and revised, if necessary, by the Vice President and Human Resources. The completed Human Resources Request Form and job description are then reviewed by the President for need, justification and approval. Recruitment is authorized by the President. In some instances it may be deemed necessary to recruit as an "anticipated position/vacancy" a position that is not yet vacant, but there is reasonable belief that it may become vacant in the near future.

JOB ANNOUNCEMENT AND ADVERTISING

Following the completion of the Recruitment Authorization portion of the Human Resources Request Form, Human Resources develops the job announcement from the job description. The application deadline and advertising needs are determined by the Vice President and Human Resources. The key to good applicants is planning and timing.

1. All positions will be posted internally and on the College web site.
2. Administrative, professional, and faculty positions in most cases should also be advertised in professional/higher education publications, and/or College Placement Centers.
3. Support staff positions may also be advertised locally and/or regionally.
4. To accelerate the process advertising may occur as "anticipated positions", pending funding and/or Board approval.

SCREENING COMMITTEE – A screening committee is used to facilitate reviews of references and qualifications and provide perspectives on the candidates. The screening committee is appointed by the Vice President or President, using the following minimum guidelines as appropriate:

Administrative positions: The Search Committee should be chaired by the position supervisor, and include one other full-time employee.

Professional positions (Director or higher): The Search Committee should be chaired by the position supervisor and include a student, and one faculty.

Faculty positions: The Search Committee should include a faculty member as chair, an additional faculty member, and a student.

Support staff positions: The Search Committee should be chaired by the position supervisor and include one other full-time employee.

Procedures:

1. The initial meeting of the screening committee.
 - a. The committee reviews the best search practices document provided by Human Resources.
 - b. Screening criteria are identified.
 - c. Interview questions are developed.
2. After the application deadline: Screening Committee reviews applications and completes criteria rating sheets.
3. Decision is made by committee to interview selected candidates.
6. The committee may decide to recommend that the position be readvertised.
7. References and employers are contacted for candidates chosen for interviews. Reference checks for national and/or regional searches are conducted before the candidates are invited to interview on campus. Reference checks may be done for local searches after the interviews with the committee, but prior to the materials being forwarded to the Vice President.
6. When there are more than three candidates the committee chooses to interview, and reference and employment checks are satisfactory, initial interviews may take place by phone or video chat or on campus, with the finalists interviewing on campus
7. Committee recommends the top three, or fewer, candidates (in alphabetical order) to the Vice President or President as appropriate. The Vice President or President reserves the right to hire other candidates from the pool if needed.

Documentation:

All tabulations, decisions and recommendations of the Search Committee will be documented and forwarded to Human Resources when the search materials are returned to the Human Resources Office.

HIRING -- The Vice President reviews the application materials of the applicants recommended to her/him by the Screening Committee, interviews, makes selection decision, or decides that the position should be readvertised.

PRESIDENTIAL DISCUSSION

The President will speak to all new full-time hires at the level of Support Staff, Professional Staff, and Faculty and above.

HUMAN RESOURCES

When filling positions for administrators, faculty, or professionals, Human Resources will issue an offer of employment contingent upon the outcome of the background investigation, including a criminal check. The background investigation takes approximately two weeks to complete. If the employee is needed immediately, a background check will be completed as soon as possible with appropriate wording included in the offer of employment and/or employment agreement.

Human Resources will prepare the contract and conduct a policy and benefits orientation for the new employee. The meeting with the President must be completed and the contract signed before the new employee begins work.

Travel Expenses

Generally, applicant travel reimbursement for institutionally funded positions will include travel (most economical means), lodging, and meals.

MESALANDS COMMUNITY COLLEGE

ROLES, FUNCTIONS, AND RESPONSIBILITIES WITHIN THE SEARCH, SCREENING, AND SELECTION PROCESS

The Vice President, Human Resources, and the Screening Committee are all involved in the search, screening, and selection process at varying stages and with different roles, functions, and responsibilities. The roles, functions, and responsibilities of the Vice President, Human Resources, and the Screening Committee, in general, are as follows:

VICE PRESIDENT

The responsible Vice President determines the need to create/fill a position in her/his area, works with Human Resources to develop the job description, takes it to the President for approval, determines application deadlines and advertising needs with Human Resources, appoints the Screening Committee Chair and two other members, interviews candidates recommended by the Screening Committee, and makes the selection decision.

HUMAN RESOURCES

Human Resources works with the Vice President, supervisor and/or President to develop the job description, prepares the job announcement, and determines with the advertising mix for the position. Human Resources is then available to the Screening Committee Chair for direction and training for the committee upon the request of the Chair. The search chair contacts the applicants chosen by the Committee for interviews, makes interview arrangements, and sends a memorandum or email to committee members if needed with the interview schedule if there are multiple candidates. Following the Vice President's selection Human Resources will arrange for the background check, if applicable (faculty, professional, administrator). Upon completion of the President's visit with the candidate an employment agreement may be offered if the President approves. If a criminal background check is required, appropriate wording will be included in the offer of employment and/or employment agreement. The employment agreement must be signed before work begins. Human Resources insures that all necessary forms are completed and conducts a policy and benefits orientation for the new employee.

SCREENING COMMITTEE CHAIR

The Chair of the Screening Committee is appointed by the Vice President and is briefed by the Vice President regarding the position. The Chair sets the time and day of the week that the committee will meet each week until the process is completed, and communicates this schedule to Human Resources and the committee members. The Chair insures that all tabulations, decisions and recommendations of the committee are forwarded to Human Resources when the applicant files are returned, makes reference-check assignments, and consults with Human Resources regarding questions about the screening process at any time.

SCREENING COMMITTEE MEMBERS

The members of the Screening Committee make a commitment to be available at the scheduled time as communicated to them by the Chair. Members are responsible for reviewing each application given to the committee and filling out the objective Criteria Ratings Form for each Professional and Faculty applicant. The Committee contacts references and employers before the applicant is invited to interview on campus, prepares interview questions, conducts interviews, and makes recommendations to the Vice President.

One member may be appointed by the Chair to act as secretary. The secretary will record any tabulations, decisions and recommendations made by the Committee and provide these to Human Resources for the file.

PRESIDENT

The President will speak with all full-time hires at the level of Administrative Staff and higher before offers for employment are made. For positions requiring a contract, the contract is signed and then work begins.

MESALANDS COMMUNITY COLLEGE
Human Resources Request

Title of Position: _____ NEW _____
VACATED _____
Division: _____
Exempt: YES _____ NO _____ Full, Part-time or Temp: _____
Salary Range: _____

Budget Account #: _____ Available Funds: \$ _____
\$ _____

Funding Source: GRANT _____ Name of Grant: _____
INSTITUTIONAL _____

JOB DESCRIPTION APPROVED BY:

Vice President _____ Date _____

President's Cabinet _____ Date _____

IF NEW, date approved by the Board of Trustees _____
Date _____

RECRUITMENT AUTHORIZATION:

President _____ Date _____

Internal recruitment only _____ Internal/External recruitment _____

JOB DESCRIPTION AND ANNOUNCEMENT REVIEWED BY HUMAN RESOURCES OFFICE:

Human Resources _____ Date _____

Application deadline: _____

MESALANDS COMMUNITY COLLEGE
Professional or Faculty Screening Committee Appointments

for the Position of _____

Appointing Vice President: _____ Application deadline: _____

Committee Chair: _____

Member: _____

Member: _____

Member, if applicable: _____

Member, if applicable: _____

NOTE: The composition of the Screening Committee is at the discretion of the Vice President. Human Resources will coordinate the search and will meet with the committee at the first meeting to provide guidance and training.

The following is suggested for committee composition:

Administrative positions: The Search Committee should be chaired by the position supervisor, and include one other full-time employee.

Professional positions (Director or higher): The Search Committee should be chaired by the position supervisor and include a student, and one faculty.

Faculty positions: The Search Committee should include a faculty member as chair, an additional faculty member, and a student.

Support staff positions: The Search Committee should be chaired by the position supervisor and include one other full-time employee.

The Vice President may choose to appoint additional members of her/his choice to a screening committee.

MESALANDS COMMUNITY COLLEGE

**VICE PRESIDENT / HUMAN RESOURCES / PRESIDENT
Selection and Hire for Professional or Faculty Full-time Employees**

Vice President's Selection

Name _____ Interview Date _____
Position _____
Phone _____ Start Date _____
Vice President's Signature _____ *Forward file and form to Human Resources for
issue of contract.*

Human Resources - Issue of Contract

Degree: _____ Degree allowed for position: _____
Number of years allowed for experience: _____ Salary/Wage: _____
(Justification must accompany this form if
salary/wage is outside the hiring range
advertised)

Forward file and form to President.

**President's Visit (full-time Administrative Staff, Professional Staff and Faculty
only)**

Date Completed _____ Contract O.K. (if applicable): YES ___ NO ___
Contract Changes: _____

President's Signature _____ *Forward file and form to Human Resources.*

Human Resources - Orientation

Date Contract Signed _____
Date Contract to be placed on Board Agenda for confirmation: _____
Date policy and benefits orientation completed: _____
Human Resources Signature _____ Date _____

MESALANDS COMMUNITY COLLEGE

ROLES, FUNCTIONS, AND RESPONSIBILITIES
WITHIN THE
SEARCH, SCREENING, AND SELECTION PROCESS

HUMAN RESOURCES

Human Resources works with the supervisor, Vice President and/or President to develop the job description, prepares the job announcement, and determines with the Vice President the application deadlines and advertising mix for the position. It is then the responsibility of Human Resources to coordinate the search, receive applications, and forward to the committee only those applications that meet the minimum requirements. Human Resources is then available to provide training and guidance throughout the screening and selection process up to and including candidate interviews. Following the supervisors and Vice President's or President's selection and the candidate's visit with the President, Human Resources issues the contract if applicable and sees that it is signed before work begins. Human Resources insures that all necessary forms are completed and conducts a policy and benefits orientation for the employee.

1. Works with the supervisor to develop or revise the job description.
2. Prepares job announcement from the job description and sends it to institutional computing for inclusion on the College website and other approved advertising outlets.
3. Works with the hiring supervisor to determine application deadlines and advertising needs for the position.
4. Prepares and places all necessary advertising for the position.
5. Receives all applications for the position. All communications with prospective applicants or applicants should be directed to Human Resources.
6. Following the application deadline determines completeness of applications and if minimum requirements are met. Human Resources forwards only complete applications meeting minimum requirements to the committee. Prior to review by the committee Human Resources, in consultation with the Vice President, may decide that the position should be readvertised.

7. Human Resources will provide training and guidance to all new committee members as well as updates for all screening committee members at each committee's first meeting. Human Resources is available at any time for guidance during the screening and selection process.
8. Human Resources contacts applicants chosen for interviews, schedules the interviews and notifies Screening Committee members of the interview schedule. When applicants are contacted Human Resources informs them that reasonable travel expenses are reimbursed by the College, with the exception that if they are offered the position and decline, there will be no travel reimbursement. Applicants are also told that a background check (including a criminal check) is conducted, if applicable (faculty, professional, administrator).
9. Following selection by the Vice President, prepares contract (or offer of employment contingent upon the outcome of the background check) for the employee, and forwards the contract and candidate's file to the President. Following the visit with the President, Human Resources has all necessary forms completed, and conducts a policy and benefits orientation for the employee.
10. Writes to all applicants for the position informing them that the position has been filled.
9. Holds all applicant information and selection proceedings confidential.

MESALANDS COMMUNITY COLLEGE

ROLES, FUNCTIONS, AND RESPONSIBILITIES WITHIN THE SEARCH, SCREENING, AND SELECTION PROCESS

SCREENING COMMITTEE CHAIR

The Chair of the Screening Committee is appointed by the Vice President or President. The Chair sets the time and day of the week that the committee will meet each week until the process is completed (other time schedules may be necessary if circumstances warrant a shorter time period for the process), and communicates this schedule to Human Resources and the committee members. The Chair insures that committee tabulations, decisions and recommendations are documented and consults with Human Resources regarding questions about the screening process at any time.

1. Chair is appointed.
2. Chair sets the committee meeting schedule appropriate to the Vice President's or President's timeline for completing the screening process.
3. Communicates the scheduled meeting times to Human Resources and the committee members.
4. Insures that committee tabulations, decisions and recommendations are documented as appropriate.
5. Rates completed applications based on objective criteria for rating and sets timeline for other members of the committee to do the same as appropriate to the level of the position.
6. Consults with Human Resources at any time regarding questions about the screening process.
7. Sets up interview schedule for selected candidates in consultation with committee members and Human Resources, and then contacts the candidates.
8. Notifies the Vice President as appropriate of the committee's recommendations by with the names of the applicants being recommended in alphabetical order (not ranked order).

9. Sees that all written notes regarding the screening and documentation of actions taken are turned into Human Resources for the file.
10. Holds all applicant information and selection proceedings confidential.

MESALANDS COMMUNITY COLLEGE

ROLES, FUNCTIONS, AND RESPONSIBILITIES
WITHIN THE
SEARCH, SCREENING, AND SELECTION PROCESS

SCREENING COMMITTEE MEMBERS

The members of the Screening Committee make a commitment to be available at the scheduled time each week as communicated to them by the Chair. Members are responsible for reviewing each application given to the committee and filling out the objective Criteria Ratings Form for each professional and faculty applicant as appropriate for the level of the position. The Committee contacts references and employers for the candidates chosen for interviewing, prepares interview questions, conducts interviews, and makes recommendations to the Vice President.

One member may be appointed by the Chair to act as secretary. The secretary records any tabulations, decisions and recommendations of the Committee and provide these to Human Resources for the file.

1. Receives appointment as committee member from Vice President.
2. Makes commitment to be available at scheduled time and day each week as determined by Chair.
10. Receives training and guidance from Human Resources at the initial committee meeting regarding roles, functions and responsibilities as committee member.
4. Completes the Criteria Ratings Form for each professional and faculty applicant based on objective criteria.
5. The Committee will contact references and employers for the applicants chosen for interviewing. The committee may decide that the position should be readvertised and make the recommendation to do so to the Vice President and/or President.
6. Receives reference and employment check assignments from Chair and carries out the assignments, providing appropriate documentation of contacts and attempted contacts to Human Resources.
7. Participates in interviews of applicants.

8. Decides with other committee members which applicants will be recommended to the Vice President and/or President for consideration.
9. Gives all written notes regarding the screening to the Committee Chair to be given to Human Resources for the file.
10. Holds all applicant information and screening proceedings confidential.

MESALANDS COMMUNITY COLLEGE
**Screening Committee Recommendations to Vice President for Professional
and Faculty Positions**

The Screening Committee for the position of _____
met on _____, 20____, following the completion of applicant
interviews. It was decided by the committee members to recommend the
following applicants to: _____ for his/her consideration.

(In alphabetical order)

- 1.
- 2.
- 3.

Screening Committee, Chair

Date

Screening Committee, Member

Screening Committee, Member

Member, if applicable

Member, if applicable

