



Northern Wyoming Community College District

Employee Handbook

Approved by NWCCD Board of Trustees May 2018

IMPORTANT NOTICE

THIS HANDBOOK IS DESIGNED TO ACQUAINT EMPLOYEES WITH NORTHERN WYOMING COMMUNITY COLLEGE DISTRICT (NWCCD) AND SOME INFORMATION ABOUT WORKING HERE. THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE DISTRICT'S GUIDELINES. THIS EDITION SUPERSEDES ALL PREVIOUSLY ISSUED EDITIONS.

EMPLOYMENT WITH NWCCD IS AT-WILL UNLESS YOU HAVE A WRITTEN FACULTY CONTRACT SIGNED BY THE PRESIDENT. EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH NWCCD WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. NORTHERN WYOMING COMMUNITY COLLEGE DISTRICT HAS THE SAME RIGHT.

NO REPRESENTATIVE OF NWCCD OTHER THAN THE PRESIDENT HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE PRESIDENT AND THE EMPLOYEE.

NO HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THE HANDBOOK, EMPLOYEES THAT HAVE QUESTIONS SHOULD TALK WITH THEIR IMMEDIATE SUPERVISOR OR THE HUMAN RESOURCES DEPARTMENT. WHERE THIS EMPLOYEE HANDBOOK AND GOVERNING LAW CONFLICT, NWCCD'S INTENT IS TO FOLLOW GOVERNING LAW. IN ADDITION, THE NEED MAY ARISE TO CHANGE THE CONTENTS OF THE HANDBOOK, AND THAT MAY OCCUR ONLY IN WRITING APPROVED BY THE PRESIDENT, AND MAY OCCUR WITH OR WITHOUT PRIOR NOTICE. NOTHING WITHIN THIS HANDBOOK SHALL PROHIBIT OR RESTRICT ANY RIGHT YOU ARE OTHERWISE ENTITLED TO UNDER STATE OR FEDERAL LAW.

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Northern Wyoming Community College District Mission and Objectives

Mission

Creating student success and making a difference in our communities through educational leadership.

Vision

NWCCD will help fill the Wyoming skills gap by producing 1,000 graduation awards per year by 2020. We will align our programs to the local and regional economies and ensure our curricula, schedules, campus environment and services help students graduate on time with minimal debt and multiple job opportunities.

Values

- Respect
- Integrity
- Excellence
- Learning

“Student success and community success are our highest priorities. We interpret that to mean ensuring students earn a degree or certificate in the most affordable and efficient way possible. We take seriously our responsibility to partner with our communities so that our unique capabilities as an educational

institution are aligned with community needs and plans. We are updating and expanding our campuses to meet student needs and support programming in areas important to our region.”

– Paul Young, NWCCD President

Code of Ethics

College Employees

- Will adhere to the highest ethical standards in the fulfillment of my job;
- Will honor Board of Trustees’ decisions, college policies, procedures and/or Board directives and the authority delegated to the President;
- Will adhere to the mission and promote the goals and objectives of the College as stipulated by the Board of Trustees and Administration;
- Will exercise responsibility and self-discipline in the matters of college affairs and strive to mold and maintain harmonious relations throughout the college community;
- Will respect the positions and circumstances of the electorate and the Board of Trustees and shall honor my community, college and country.

Employment

Equal Opportunity: Non-Discrimination Clause

Northern Wyoming Community College District prohibits discrimination in employment, educational programs and activities on the basis of race, national origin, color, creed, religion, sex, pregnancy, age, disability, veteran status, sexual orientation, or gender identity, and any other class protected under state and federal law. The District also affirms its commitment to providing equal opportunities and equal access to its facilities. Inquiries concerning Title VI, Title VII, Title IX, Section 504, and the Americans with Disabilities Act may be referred to the Vice President for Administration, Cheryl Heath, NWCCD’s Title IX and Section 504 Coordinator, Sheridan College, Whitney Building, Room W145E, 1 Whitney Way, Sheridan, WY 82801; (307) 675-0505. Inquiries also may be made to the Office for Civil Rights, U.S. Department of Education, Federal Building, Suite 310, 1244 Speer Boulevard, Denver, CO 80204-3582; 303-844-3417; or TDD 303-844-3417.

ADA and Religious Accommodation

NWCCD will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the District or cause a direct threat to health or safety. NWCCD will make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses undue hardship on the District. Employees needing such accommodation are instructed to contact their supervisor or the Director of Human Resources immediately.

Sexual Harassment

NWCCD strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mails.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Any employee who has a complaint of sexual or other unlawful harassment by anyone, including but not limited to a supervisor, co-worker, visitor, or employee of an affiliated institution, must bring the problem to the attention of NWCCD using the procedure described in the Complaint Resolution Procedure. For more information see Series 5075.3 Sexual Misconduct and Intimate Partner Violence Procedure.

Sexual and Non-Sexual Violence

NWCCD strives to provide a safe working, residential, and learning environment for all members of the college community. Violence on NWCCD property is prohibited. Employees engaging in such conduct will be subject to corrective action up to and including termination. Employees, community members, guests, and visitors have the right to be free from sexual violence. NWCCD also prohibits non-sexual violence. Employees have a role in the policy including reporting of any alleged misconduct to appropriate administrators with responsibility. If you believe that you or others are being subjected to any form of violence, contact the NWCCD Police Department immediately before notifying a Title IX administrator. For more information see Series 5075.3 Sexual Misconduct and Intimate Partner Violence Procedure.

Complaint Resolution Procedure

NWCCD operates under the guidelines of “if you see (or hear) something, say something”. All employees are responsible for reporting. If it is an emergency or a threat to life or property, the first call should be 911 with an incident report following. If you can resolve it on the spot, do so. All student and parent complaints should be reported to the Vice President of Student Affairs office. Non-student related (public, community) complaints should be reported to the Vice President of Administrative Services office.

If you believe there has been a violation of Title IX, the EEO policy or harassment based on the protected classes listed above, including sexual harassment, please use the following complaint procedure. NWCCD expects employees to report as soon as reasonably possible, per the procedure, to enable the District to investigate and correct any behavior that may be in violation of this policy.

Procedure: Report the incident to the Director of Human Resources (or, if unavailable or desired, to the Vice President of Administrative Services) who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. If you prefer not to go to either of these individuals with your complaint, you should report the incident to the President of NWCCD. While your input may be solicited during the investigation, all action taken at the conclusion of the investigation will occur in NWCCD’s sole discretion.

All employees are expected to assist in efforts to address complaints of unlawful discrimination. If you aren’t sure where to report it, report it to any of the offices above. For more information see the NWCCD Institutional Complaint Process.

Retaliation

NWCCD prohibits retaliation against any employee for the good faith filing of a complaint under this policy or for assisting in a complaint investigation. If you believe there has been a violation of our EEO or retaliation standard, please follow the complaint procedure outlined above.

If NWCCD determines that an employee’s behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

Employment of Relatives (Nepotism)

Employment of members of the immediate family is acceptable except:

- A. No supervisor may directly supervise or be involved in the hiring process of a member of his/her immediate family;
- B. If there is a change in the family relationship or position which would violate the above policy, it is the employee's responsibility to correct the situation within six months.

If, due to marriage or organizational change such as a promotion, two current employees are in a situation that is not consistent with this policy, Human Resources will work with the employees and their supervisor(s) on a resolution that is consistent with District policy.

Immediate family member is defined as the employee's parents (biological, adoptive and step), legal guardian, legal ward, brothers, sisters, spouse, children, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, grandchildren, or any member of the immediate household who is living with and considered part of the family.

Employment Overview and Classification

All employment is "at-will", unless otherwise defined.

It is the responsibility of the Board of Trustees to employ the President. The President will employ executive staff with the Board's participation. The President approves employment for all other positions.

President - Chief Executive Officer of the Northern Wyoming Community College District, reports to NWCCD Board of Trustees

Faculty (exempt)

Administrative Staff (exempt)

Classified Staff (non-exempt)

Job descriptions are developed for all employees based on the essential duties and responsibilities of each position. The Human Resources Department determines which positions are considered either "exempt" or "nonexempt" as defined by the Fair Labor Standards Act (FLSA). Non-exempt positions are entitled to overtime pay or compensatory time off for all hours worked over forty in the specified work week.

Employee Status

Full-time employee - A classified or administrative employee normally scheduled to work at least 40 hours per week or a faculty scheduled to teach 30 credit hours or the equivalent during an academic year. Full-time employees are eligible for benefits.

Designated part-time employee - A classified or administrative employee normally scheduled to work between 20 and 40 hours per week or a faculty scheduled to teach between 15 and 30 credit hours or the equivalent during an academic year. Designated part-time employees are eligible for pro-rated benefits.

Part-time employee - A classified or administrative employee normally scheduled to work less than 80 hours per month or part-time faculty scheduled to teach 9 or fewer credit hours per semester. Part-time employees are not eligible for benefits.

Hiring Process and Compensation

Hiring Process

NWCCD strives to promote from within whenever appropriate and is committed to employing quality faculty, staff and administrators.

NWCCD's hiring process is typically a committee-driven process. Committees are made up of both department and non-department members with a mix of employee classifications as appropriate. To the extent possible, recruiting teams represent persons of different races, national origins, sexes and abilities. All open positions for which applications are accepted are given to a committee for initial review and interview selection.

Review of applications for interview selection is based on job description duties compared to the knowledge, skills and ability of the applicant. The final hiring decision is made by the President of the District.

The philosophy of Northern Wyoming Community College District is to align compensation with internal factors, first and foremost, followed by external competitiveness. Local, regional and national sources are used in the development of salary schedules and placements. The District strives to remain competitive while maintaining fiscal responsibility and stability.

Background Screening

Northern Wyoming Community College District (NWCCD) believes that hiring qualified individuals to fill positions contributes to the overall strategic success of NWCCD. Background checks serve as an important part of the selection process at NWCCD. Background information is collected as a means of promoting a safe environment for current and future NWCCD employees and students. Background checks also help NWCCD obtain additional applicant related information that helps determine the applicant's overall employability, to protect the people, property, and information of the organization.

Compensation - Wage / Salary Placement

Original wage/salary placement is based on educational qualifications, job-related skills and special competencies as well as amounts, types, and quality of relevant work experience. Original placement shall consider current employees with similar experience and qualifications and will not normally equal or exceed them.

Employees may render professional and technical services not in conflict with their position. They may receive compensation therefrom as long as these services do not interfere with teaching effectiveness or conflict with the interests of the College and occur outside the individual's scheduled assignment. College facilities and equipment may only be used for these purposes with the permission of the President.

Any compensation earned by an employee from an outside source during his/her scheduled assignment, with the exception of travel, room and board costs, shall be remitted to the College.

Paid vacation or personal leave are not part of a scheduled assignment. Public or professional service such as jury duty and professional accreditation activities are exempt.

Paydays

Employees are paid twice per month; on the 15th and again on the last day of the month. If the regular payday occurs on a holiday or weekend, the payday is the last working day prior to the holiday or weekend.

Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans, and individual savings plans may be arranged through Human Resources.

For the employees' convenience, NWCCD offers the option of having paychecks automatically deposited to their bank account. Please speak with Human Resources if you wish to exercise this option.

Overtime

Classified staff, non-exempt employees are paid on an hourly rate. Hourly time sheets or time-clock records shall be maintained. The overtime rate is one and one-half times the regular hourly pay rate. All overtime worked must be approved in advance by the employee's immediate supervisor. If the total number of hours worked are less than forty (40) hours weekly, payment shall be made on the basis of the hourly rate times the hours worked.

For purposes of calculating overtime pay, only hours actually worked by the employee are included. All other types of hours (e.g., paid or unpaid leave) are not included as hours worked for purposes of calculating overtime pay. The time report period is weekly, beginning at 12:00 am on Saturday of each week and ending at 11:59 pm the following Friday.

Exempt employees are not eligible for overtime.

Pay For Exempt Employees

Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a semi-monthly basis. NWCCD is committed to complying with salary basis requirements which allows properly authorized deductions.

If you believe an improper deduction has been made to your salary, you should immediately report this information to Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed.

Time Entry

Employees are responsible to report their time accurately through NWCCD's time and leave reporting system. Supervisors are responsible to review and approve the time employees report

through this process. NWCCD is responsible to accurately process pay for all employees according to its regular payroll schedule.

Employees should contact their supervisors or Human Resources with any questions about how their pay is calculated. Employees must promptly notify their supervisors or Human Resources of any mistakes in their time records or pay.

Performance Planning and Performance Evaluation

The evaluation process is designed to encourage open, ongoing communication between the employee and the manager about performance issues. The process is a continuous cycle that helps managers and employees work together to establish objectives, monitor progress toward these goals, and to assess results. The formal evaluation document should be completed annually for all classified and administrative staff with a July 31 deadline. Evaluation of faculty members are done under the administration of the Vice President of Academic Affairs. Performance evaluations are based on job descriptions, assignments and success in achieving objectives. Evaluations should be done face-to-face with an opportunity for employee discussion. Performance evaluations are not subject to appeal, however, an employee may choose to place written comments or concerns in the employee comment section.

Professional Development

Faculty and staff professional development is recognized as an important function of the District to assist in overall institutional growth and development. Professional development is designed to establish programs for instructional and skills improvement and to facilitate the maintenance of a healthy institutional climate. Professional development should align with NWCCD mission, strategies and department goals. NWCCD is committed to funding professional development opportunities. Opportunities are available in department budgets, staff and faculty development funds as well as on-going strategic District trainings.

Employee Benefits

- A. Life, Health and Dental Group Insurance Plan – Employees of the District may participate in the State of Wyoming Life, Health and Dental Group Insurance Plan. Current information including premiums and benefits is available in the Human Resources Department or <http://ai-hrd.wyo.gov/egi>.
- B. Wyoming Retirement System/TIAA – All eligible employees are required to participate in either the Wyoming Retirement System or TIAA-CREF. At the time of employment the employee is required to elect to participate in only one plan and this decision cannot be reversed while employed at NWCCD. Benefit information can be found in the Human Resource Department or <http://retirement.state.wy.us/>, www.tiaa.org.

- C. Employee Reimbursement Accounts – Employees are eligible to participate in the flexible benefits plan to save money on eligible medical and dependent day care expenses.
- D. Workers' Compensation – Employees are generally eligible for coverage under the Wyoming Workers' Compensation Program or a private workers' compensation insurance.
- E. Credit and Non-Credit Course Enrollment – Subject to budgeted totals, tuition grants may be afforded to employees according to the chart below. Normal requirements for admission apply. A 2.0 grade-point average must be maintained to remain eligible. Student is responsible for special fees, lab fees, and required materials.

	Employee	Spouse	Children Under 24	Legal Dependent
Full-Time	100%	100%	100%	100%
Designated Part-Time	50%	0%	0%	0%
Part-Time	25%	0%	0%	0%

- F. Admission to Campus Activities – All employees of the District and their immediate families are encouraged to attend all District events. When possible, these events will be free of charge to District employees. Minors may be restricted from participation in certain activities.
- G. Dental Care Clinic – All employees and their dependents are eligible for no-cost care in the Sheridan College dental clinic subject to space, time available, and instructional needs of the clinic.

Vacation Leave for Classified and Administrative Employees

	Annual Accrual	Accrual per Pay Period	Maximum Accrual Limit	Leave Payout Upon Separation
Full-Time 12 Months	160 hours	6.67 hours	320 hours	160 hours
Full-Time 11 Months	80 hours	3.33 hours	160 hours	160 hours
Full-Time 10 Months	72 hours	3 hours	144 hours	144 hours
Designated Part-Time	0 hours			

1. Vacation Scheduling – Each supervisor shall establish a process for employees to request vacation leave. Employees are responsible for following the process to schedule vacation in advance with their supervisor, and must receive approval from the supervisor before scheduling or taking vacation. Department and District responsibilities take priority as

supervisors consider vacation requests. A department may establish periods during which vacation may not be taken.

2. **Sickness During Vacation** – Serious illness occurring during vacation is considered medical leave and is not charged to vacation unless medical leave has been exhausted. Employees may be required to furnish a written physician statement to the Human Resource Department to substantiate the illness.
3. **Holiday During Vacation** – If a paid holiday is observed for all employees, such time will not be charged against accrued vacation leave.
4. **First Year Employee Advance** – During the first year of employment, an advance of 10 days is permitted. If the employee is separated from the District and has used vacation he or she has not yet earned, the monetary amount equivalent to vacation days used will be taken out of that employee's last paycheck.

Medical Leave

	Annual Accrual	Accrual per Pay Period	Maximum Accrual Limit	Leave Payout Upon Separation
Full-Time Faculty	144 hours	6 hours	960 hours	0 hours
Full-Time 12 Months	144 hours	6 hours	960 hours	0 hours
Full-Time 11 Months	132 hours	5.5 hours	960 hours	0 hours
Full-Time 10 Months	120 hours	5 hours	960 hours	0 hours
Designated Part-Time	16 hours*	0 hours	16 hours	0 hours

* Eligible for up to 16 hours per semester, non-cumulative sick leave

1. Medical leave shall include leave for illness, injury, medical appointments or pregnancy related disability for employees and for immediate family (as defined under FMLA).
2. Paid Medical Leave cannot be used prior to accrual with an exception approved by the President in the first year employees may use their first year accrual. If the employee is separated from the District and has used Paid Medical Leave time he or she has not yet earned, the monetary amount equivalent to the Medical Leave days used will be taken out of that employee's last paycheck.
3. Supervisors, after working with Human Resources, may request a physician statement for any medical absence taken by an employee.
4. **Extended Emergency Leave** – during an extended illness, after all other paid leave has been exhausted, an employee may request an additional 22 days of medical leave at 2/3 pay upon verification of a physician's certification. This benefit is available once in a 12-month period.

5. At the end of the fiscal year, full-time employees can convert up to 2 days of unused paid medical leave to vacation (for staff) and supplemental leave (for faculty) based on the usage of medical days each fiscal year.

- 0-2 medical days used - convert 2 days
- 3-4 medical days used – convert 1 day

Any days converted will then be subject to use and potential pay out under the Vacation Leave section above.

Holiday Leave

Full-time classified and administrative staff shall be paid at least 9 and not more than 16 holidays annually as determined by the Board of Trustees. Full-time classified staff required to work a designated holiday will be compensated for the holiday pay and will receive premium pay of time and one-half for all hours worked on the holiday. The supervisor requiring the holiday work must get pre-approval from the appropriate administrative executive (Vice President and/or President).

Designated part-time employees shall receive 40 hours of paid holiday leave per year. Employees may choose the Board approved holidays for which they wish to be compensated. All other holidays will be taken unpaid. Designated part-time employees are not eligible for holiday premium pay.

Personal Leave

	January 1 – June 30	July 1 – December 31
Full-Time	16 hours	16 hours
Designated Part-Time	8 hours	8 hours

Personal leave cannot be carried forward and will not be paid out in the event of separation of employment.

Bereavement Leave

Full-time employees are currently eligible for paid leave up to 5 days for absences associated with the death of an immediate family member. Immediate family member is defined as the employee's parents (biological, adoptive, or step), legal guardian or ward, brothers, sisters, spouse, children, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, grandchildren, or any member of the immediate household who is living with and considered part of the family.

Designated part-time employees are currently eligible for paid leave up to 2 days for absences associated with the death of an immediate family member.

Emergency Leave

Emergency leave may be granted to full-time employees up to 3 days or designated part-time employees up to 1 day maximum each year. The situation shall be serious, essentially unavoidable and of importance, not one of mere convenience. An example of qualifying situations would be a threat to an employee's property such as floods, storms, fire or similar conditions. Emergency leave will not be approved due to weather conditions when the decision has been made to keep the campuses open.

Jury Duty

Employees shall not sustain loss of their regular compensation or any loss of benefits when called on for jury duty or to testify at the order of a court or other agency of the government. As soon as the employee receives notice that they are expected to appear for jury duty or to testify, they must immediately provide that written notice to their supervisor.

Educational Leave

Full-time employees are eligible to request unpaid educational leave not to exceed a year. Employees do not earn benefits during the period of leave. Educational leave may include taking additional coursework, participation in research projects, temporary teaching assignments, or involvement in fellowship programs. Conditions for granting leave include a plan to cover the employee's absence; the request is based on activities which bring significant benefits to the college as well as the individual; and approved education leave does not disrupt employee's service record. However, the period of leave itself does not count towards determining eligibility for things such as sabbatical leave or deferred compensation.

Professional Leave

Professional meetings, conferences, trainings, and other activities related to employment which are approved by the supervisor are not considered leave time. Those hours are considered part of the employee's work week.

Political Leave

Full-time employees may file for political office. When an election to an office results in an accumulation of ten (10) or more day's absence from the District in an academic or fiscal year, political leave without pay may be granted with the President's approval. If political service absences adversely affect the capability of the employee to fulfill his/her job requirements, the employee's status will be re-evaluated. The employee may continue benefits during political leave without pay.

Sabbatical Leave

All full-time employees shall be eligible for sabbatical leave after having completed six (6) continuous years of full-time contractual service at the District. Part-time benefitted employees who have been in continuous service and who are promoted to full-time employment shall be allowed prorated credit for their service to the District when being considered for sabbatical leave. A recipient of a sabbatical leave shall become eligible to apply for a subsequent sabbatical leave after again fulfilling the requirements, with time of service being calculated from the date of return to full-time duties at the District. For more information see Series 4065.

Family and Medical Leave (FMLA)

NWCCD provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care, or child birth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition
- Serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is:

- (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.*

Or

- (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition."

Benefits and Protections

During FMLA leave, NWCCD maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. For the portion of FMLA leave that is unpaid, the employee's portion of health insurance premiums may be paid by the employee pursuant to a system and schedule voluntarily agreed to by NWCCD and the employee. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse NWCCD for payment of the employer's portion of the insurance premiums that occurred during the FMLA leave.

NWCCD's retirement plan contributions will continue during the FMLA leave only to the extent the employee receives regular pay while on leave. An employee who is eligible for full time benefits and who is on approved family and medical leave will continue to accrue vacation leave, medical leave and personal days during the leave period.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Eligibility Requirements

Employees are eligible if they have worked for NWCCD for at least 12 months, for 1,250 hours over the previous 12 months, and if they work at a work site with at least 50 employees within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Amount of Leave Available

The maximum time allowed for FMLA leave is either 12 weeks in the 12-month period as defined below, or 26 weeks as explained above. An employee's FMLA leave entitlement is not based on a calendar year but on a rolling 12-month period. For example, an employee who takes 12 weeks of family medical leave in October, November, and December of one calendar year is not eligible to take family and medical leave again until the following October.

At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or an equivalent position.

How Leave May Be Taken

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt NWCCD's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with NWCCD's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

For designated and other part-time employees, the 12-week entitlement is pro-rated based on the number of hours the employee is regularly scheduled to work. For example, if an employee who normally works 30 hours per week works only 20 hours a week under a reduced-schedule leave, the employee's 10 hours of leave would constitute one-third of a week of family and medical leave for each week the employee works the reduced-leave schedule.

Substitution of Paid Leave for Unpaid Leave

NWCCD requires employees to use all accrued medical leave days, paid personal days, and vacation leave concurrently while taking FMLA leave. Paid leave used at the same time as FMLA leave must be taken in compliance with NWCCD's normal paid leave policies. FMLA leave is without pay when paid leave benefits are exhausted.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the NWCCD's normal call-in procedures.

Employees must provide sufficient information for NWCCD to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities; the need for hospitalization or continuing treatment

by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform NWCCD if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees will upon request be required to provide qualified medical provider certification and periodic recertification supporting the need for leave. NWCCD may require second and third medical opinions at NWCCD's expense. Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with NWCCD's attendance guideline.

Employees on leave must contact the Director of Human Resources at least two days before their first day of return. NWCCD may require certification from a qualified health care provider of the employee's fitness to return to work.

Failure to Return to Work Following Family and Medical Leave

NWCCD may recover health insurance premiums that NWCCD paid on behalf of the employee during any unpaid FMLA. However, NWCCD's share of such premiums may not be recovered if the employee fails to return to work because of the employee's or a family member's serious health condition or because of other circumstances beyond the employee's control. In such cases, NWCCD may require the employee to provide medical certification of the employee's or the family member's serious health condition.

NWCCD's Responsibilities

NWCCD will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If NWCCD determines that the leave is not FMLA-protected, NWCCD will notify the employee.

Unlawful Acts

FMLA makes it unlawful for NWCCD to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA.
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

If you believe your FMLA rights are being violated, please immediately report this issue to Human Resources, the President, or the Vice President of Administrative Services.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against NWCCD.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

Additional Information

For further information or clarification about family and medical leave, please contact Human Resources.

Work Environment

Alcohol and Drugs

Alert and rational behavior is required for the safe or adequate performance of job duties. Therefore, working after the use of alcohol, any drug that is illegal under state or federal law, or abuse of any legal, medically prescribed substance is prohibited. Additionally, the use of any legal, medically prescribed substance, or legal over-the-counter medication that may interfere with the safe or adequate performance of your job duties is prohibited. You may not use any over-the-counter or prescribed substance if it will interfere with the safe or adequate performance of your job duties. If you have been prescribed any substance that has the potential to interfere with the safe or adequate performance of your job duties, please inform your supervisor prior to use during work so NWCCD can determine if you may use this substance while performing your job duties.

Furthermore, the possession, purchase, or consumption (use), or sale of any drug that is illegal under state or federal law, or alcohol on NWCCD premises or while conducting NWCCD business is prohibited. For more information see Series 3019 Drug-Free Campus.

Smoke Free Campus

NWCCD has a responsibility to its employees and students to provide a safe and healthful environment. Smoking is prohibited in all campus buildings and in/on all College property, including college vehicles. For more information see Series 3018, Smoke-Free Campus.

Anti-Violence

Employees must not engage in intimidation, threats or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons on to NWCCD property, or any other act, which in management's opinion is inappropriate to the workplace. In addition, employees must refrain from making bizarre or offensive comments regarding violent events and/or behavior.

Employees are expected to report any threatening or violent behavior, whether that behavior is exhibited by a NWCCD employee or contractor to management. Employees should directly

contact proper law enforcement authorities if they believe there is a serious threat to the safety and health of themselves or others.

Appearance and Attire

At NWCCD, personal appearance, hygiene, and attire are very important. Employees are expected to be clean and well-groomed. Clothes should be clean and without discernible rips, tears or holes, non-revealing and should not include offensive pictures or language. Work appropriate attire is determined by each department taking into consideration the type of work being done. Supervisors are responsible for explaining and administering the dress code for their department.

Attendance and Punctuality

All employees are expected to be on time and punctual for showing up to work. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business.

Prohibited conduct includes unexcused and/or excessive tardiness, absences, early departures, extended breaks and lunch hours.

Employees who are going to be absent or late must contact their supervisor/manager as soon as possible prior to the start of their shift. Leaving messages with other employees or on voice mail is not acceptable.

Violation of these Attendance and Punctuality requirements may result in discipline up to and including termination.

Failure to call in when absent for three consecutive work days will result in termination.

Employee Travel

It is the responsibility of every employee to understand and follow proper travel policies and reimbursement procedures for travel. For more information, see Series 3010.4 College Faculty/Staff Travel.

Use of College Resources

NWCCD seeks to enhance its mission of creating success and making a difference in our communities by providing comprehensive multifunctional facilities. The facilities of NWCCD exist for use by our students, faculty, staff and affiliated constituencies for the primary purpose of education. When space is available and resources allow, the District is committed to making our facilities available to groups and organizations outside NWCCD. For more information, see Series 3015 Use of College Resources.

Communication Systems

NWCCD's computer network, access to Internet, e-mail, and voice mail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of NWCCD. All information regarding access to NWCCD's computer

resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential information and may not be disclosed to non-District personnel.

All computer files, documents, search histories, and software created or stored on NWCCD's computer systems are subject to review and inspection at any time. Employees should not assume that any such information is confidential, including e-mail either sent or received.

Unauthorized computer equipment should not be removed from NWCCD premises without written approval from a Department head. Upon separation of employment, all communication tools should be returned to NWCCD.

Personal Use of the Internet

Some employees need to access information through the Internet in order to do their job. Use of the Internet is for business purposes during the time employees are working. Personal use of the Internet should not be on business time, but rather before or after work or during breaks or lunch period. Regardless, NWCCD prohibits the display, transmittal, or downloading of material that is in violation of District guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. For more information, please see NWCCD Rules for acceptable use for computing resources.

Software and Copyright

NWCCD fully supports copyright laws. Employees may not copy or use any software, images, music, or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees must comply with all licenses regulating the use of any software and may not disseminate or copy any such software without authorization. Employees may not use unauthorized copies of software on personal computers housed in District facilities. For more information see Series 3013 Sheridan College Copyright Policy.

Unauthorized Use

Employees may not attempt to gain access to another employee's personal file of e-mail messages or send a message under someone else's name. Employees are strictly prohibited from using the NWCCD communication systems in ways that management deems to be inappropriate. If you have any question whether your behavior would constitute unauthorized use, contact your immediate supervisor before engaging in such conduct.

E-mail

E-mail is to be used for business purposes. While personal e-mail is permitted, it is to be kept to a minimum. Personal e-mail should be brief and sent or received as seldom as possible. NWCCD prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. No one may solicit, promote, or advertise any outside organization, product, or service

through the use of e-mail. Management may monitor e-mail from time to time. Employees should be aware that emails might be public records and subject to public disclosure.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's e-mail messages.

Voice Mail

NWCCD voice mail system is intended for transmitting business-related information. Although NWCCD does not monitor voice messages as a routine matter, NWCCD reserves the right to access and disclose all messages sent over the voice mail systems for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

Telephones/Cell Phones/Mobile Devices

Employee work hours are valuable and should be used for business. Excessive personal phone calls can significantly disrupt business operations. Employees should use their break or lunch period for personal phone calls.

Confidential information should not be discussed on a cell phone or mobile device. Phones and mobile devices with cameras should not be used in a way that violates other District guidelines such as, but not limited to, EEO/Sexual Harassment and Confidential Information.

For safety reasons, employees should avoid the use of cell phones and mobile devices to make calls while driving. Employees must park whenever they need to use a cell phone. Generally, stopping on the shoulder of the road is not acceptable. Employees are prohibited from using a cell phone or other device to text while operating a motor vehicle. Texting is permitted only where the vehicle is at rest in a shoulder lane or lawfully parked.

NWCCD telephone lines should not be used for personal long distance calls.

Confidential Information

Employees of NWCCD will have access to confidential information of NWCCD and our students. Confidential information includes, but is not limited to, information concerning personnel information, proprietary information and similar subjects.

Disclosure of confidential information might seriously damage NWCCD's or a client's competitive position and therefore such action will not be tolerated. This non-disclosure prohibition applies both during and after an employee's employment. Any copying, reproducing, or distributing of confidential information in any manner must be authorized by management. Confidential information remains the property of the employer and must be returned to NWCCD upon separation or at any time upon demand.

Conflict Of Interest

NWCCD requires that employees protect District information and avoid outside activities or relationships, which do or could adversely influence their decisions or actions on the job. Conflict of interest situations which could arise while engaged in employment with a competing organization should also be avoided.

Other examples of conflict of interest could be serving as a board member or director of a competing firm, holding financial interest in a competing organization, or being self-employed in an occupation which competes with NWCCD, or ownership, partnership, or personal involvement in supplier companies or distribution outlets related to NWCCD business.

If employees have any question whether a situation is a conflict of interest, employees should discuss the matter with their supervisor. If it remains unresolved, refer the matter to Human Resources for a final determination.

Inspections

NWCCD may conduct searches after notice is given and with the employee's consent of employees' personal effects. This may include, but is not limited to, lunch bags, boxes, purses, personal computers, packages, or vehicles.

NWCCD may conduct searches of the above items without employee consent if we have a reasonable suspicion to believe that illegal activity is taking place and after following appropriate legal requirements. Any illegal and unauthorized articles discovered may be taken into custody and will be turned over to law enforcement representatives.

Employees do not have a reasonable expectation of privacy in offices, lockers, desks, cabinets, or file drawers, all of which copies of keys are kept by NWCCD.

Personnel Files

NWCCD keeps a personnel file as a record of your employment. It is important for this record to be up-to-date and complete. This enables us to reach you in an emergency, forward your mail, and properly maintain your insurance and other benefits. It also helps keep track of your payroll deductions and many other items that concern you as an employee.

Notify the Human Resources Department immediately if you have changes in any of the following areas: Name, residence, telephone, marital status, insurance changes, tax exemptions, person to notify in case of an emergency, and other relevant information.

Additionally, you should notify the Human Resources Department if you complete educational or training courses. This information may be considered with your other employment records as job opportunities arise in the District.

All personnel files are the sole and exclusive property of NWCCD. If you wish to review your file or discuss it with someone, contact the Human Resources Department. Any allowed review

must take place in the Human Resources Department, and must be supervised. No employee is allowed to remove any item from his or her personnel file.

References

If employees receive a call inquiring about a former employee, please refer the caller to Human Resources. Only the Director of Human Resources has the authority to respond to such inquiries. This restriction includes recommendations on social media sites.

Reference letters should be written from a personal capacity and should not be on NWCCD letterhead.

Safety/Reporting Of Injury

NWCCD is committed to a model of “see something say something” to ensure a safe work environment for employees. Employees should report any unsafe practices or conditions to their supervisor.

If employees are injured on the job, no matter how minor, they must immediately report to the VPA/CFO office to complete an incident report.

If medical treatment for an on-the-job injury is possible, the employee should contact the Human Resources Department to complete Workers’ Compensation claim forms. If not, the employee may be responsible for the cost of medical treatment.

Separation of Employment

We request that employees who wish to resign their positions notify NWCCD of their anticipated departure date and go over the “check out” procedures at separation (conversion of insurance, return of property, delivery of final paycheck, etc.) with the Human Resources Department.

Corrective Action

NWCCD employees are expected to follow all established rules and policies of their Department and the District. As a condition of employment, all employees shall cooperate with the Department of Human Resources in an investigation.

Cause for Corrective Action shall include, but is not limited to - poor work performance; dishonesty; working while under the influence of alcohol or other substances used illegally; conduct in opposition to the District’s nondiscrimination statement; insubordination; theft of District property; falsification of records; disorderly conduct; deliberate or recurring violations of stated safety regulations; absence or failure to return to work for three days; threatening or committing physical violence; breach of confidentiality; violation of state or federal law, policies, and department expectations; and any other action of misconduct. The Human Resources Department should be consulted prior to corrective action other than an oral warning.

The corrective action process may include, but is not limited to, an oral warning, a written reprimand, performance/behavior improvement plan, demotion, suspension or termination of employment. Every action need not be taken in each case and, depending upon the relevant circumstances, the District may take any disciplinary action, including immediate termination at any time.

Nothing in this policy modifies an employee's **AT-WILL** employment status.

Grievance

A grievance is an alleged violation of policies or procedures, or employee disputes relevant to EEO policies or procedures.

The President shall develop a grievance procedure. Grievances will be referred to the Board of Trustees only after all available steps to resolve the problem have been taken as provided in the administrative procedures. It is at the sole discretion of the Board to accept or deny the request for a grievance hearing except where specifically designated in grievance procedures.

Information Specific to Faculty

Faculty- a faculty member is defined as any person employed under contract as a full-time faculty member for an academic year. Currently employed part-time faculty who have tenure status retain that status under this policy.

Initial Contract - The initial contract for each faculty member will specify whether the contract is tenure or non-tenure track.

Non-Tenure Track - Non-tenure track faculty are employed on a year-to-year basis without expectation of contract renewal. Notification of renewal will occur on or before March 1 of each year. Non-tenure track faculty may be placed in the tenure track after two years' service to the College, subject to approval of the President. The previous qualifying years of employment may count toward tenure status.

Tenure Track - During the first four consecutive years of employment, faculty in a tenure track position are employed on a year-to-year basis, without expectation of contract renewal. Notification of renewal will occur on or before April 1 of each year. Prior to April 1st in the fourth year, the academic administration will conduct a full evaluation of the faculty member. They will then make a recommendation to award or deny tenure based on the evaluation, needs of the College, and the current number and disciplines of tenured faculty. The Chief Academic Officer shall make a final recommendation to the President who will then make the recommendation to Board of Trustees in his or her sole and complete discretion. Achieving four years of consecutive service is not a guarantee that an employee will be awarded tenure and the final decision to award tenure will be made in the sole and complete discretion of the Board.

Tenure - Faculty who achieve tenured status may expect annual contract renewal, subject to College policies.

Designation by Board of Tenured Faculty Members - The Board may designate a faculty member as a tenured faculty member at any time without regard to the other provisions herein.

Non-renewal - is the failure of the President to re-employ an employee at the expiration of his/her contract. Other than for tenured faculty, non-renewed employees are not entitled to reasons for the non-renewal nor a hearing before the Board.

Dismissal - is the cancellation of a contract of employment by the President.

Suspension - is the removal of the employee from his/her duties without discontinuing wages or salary. Only tenured faculty who are suspended will receive reasons and may request a hearing before the Board.

Non-tenured and tenured faculty may be suspended or dismissed for just cause at any time. Tenured faculty shall receive written notice of failure to renew their contract on or before March 1. They are entitled to a hearing before the Board by requesting it in writing within ten (10) days after receipt of the notice of non-renewal. The written request must have been received by the President within the referenced 10 days.

A recommendation to suspend, dismiss, or non-renew an employee must be approved by the President.

Tenured status shall not prohibit:

1. Transfer The transfer of a faculty member within the District to a position of equal or greater salary.
2. Reduction of salary. The reduction of the salary of a faculty member as part of a general salary reduction applicable to at least fifty percent (50%) of the full-time faculty employed by the College.
3. Non-renewal. Failure to renew a contract because of discontinuance or reorganization of a program, unsatisfactory performance, or other just cause.
4. Failure to renew as the result of the implementation of a Reduction in Force (4002).

Load for Full-time Faculty

Teaching is the first and basic responsibility of the faculty. Each faculty member is responsible for the content and quality of course(s) they offer, consistent with the common course syllabus.

Non-teaching duties for which faculty are responsible may include but are not limited to: advising; participation on committees; sponsoring all college-related academic and non-academic groups; chaperoning as agreed upon; supporting institutional recruiting efforts; tutoring; attending administratively designated activities (e.g. graduation); working on special projects approved by the administration; providing institutional resources.

Full-time Load – an average of 15 credit hours (or the equivalent) per semester, a total of 30 credit hours (or the equivalent) per academic year. Reduced teaching loads for specific assignments may be approved by the Chief Academic Officer.

Overload – teaching loads in excess of 30 credit hours or the equivalent each academic year.

Underload – teaching loads less than 30 credit hours or the equivalent each academic year.

Faculty Attendance

An academic year for faculty service is defined as up to 170 days or equivalent. Within this year, the administration is authorized to propose a yearly academic calendar, workshops, inter-sessions or other specific assignments and to assign specific duties to faculty members.

Faculty Duty Days - Faculty members shall be on duty for the District during all in-session (duty and teaching) days unless excused by the Administration.

Faculty Office Hours - Each faculty member is expected to schedule a minimum of one office hour daily. On days when the faculty member is teaching assigned classes for five hours or more, office hours may be reduced.

Meeting Classes - Faculty members shall meet all classes as scheduled. In cases of illness or other authorized short-term absence, appropriate alternatives shall be implemented.

ACKNOWLEDGEMENT

I have received and read the Northern Wyoming Community College District Employee Handbook in its entirety.

I UNDERSTAND THIS HANDBOOK IS ONLY A GUIDE. I UNDERSTAND THAT UNLESS I HAVE A FACULTY CONTRACT SIGNED BY THE PRESIDENT, NWCCD CAN TERMINATE ME AT ANY TIME AND FOR ANY REASON, OR FOR NO REASON AT ALL. I UNDERSTAND THAT NWCCD MAY CHANGE THE CONTENTS OF THIS HANDBOOK AS IT DEEMS NECESSARY, AND THAT MAY OCCUR WITH OR WITHOUT NOTICE. I UNDERSTAND THESE TERMS CANNOT BE CHANGED OR ALTERED BY ANYONE EXCEPT IN WRITING SIGNED BY THE NWCCD BOARD. I UNDERSTAND THAT NOTHING WITHIN THIS HANDBOOK ALTERS OR REVOKES ANY OTHER RIGHT I AM LEGALLY ENTITLED TO.

Printed Name

Date

Signature