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**WELCOME**

We are pleased that you have joined us to begin what we hope will be a long and mutually beneficial relationship. We depend on the skill and energy of people like yourself to provide our citizens with the kind of efficiency and courteous service they deserve and expect.

You will undoubtedly have many questions about your job and the personnel policies and Procedures. We hope the material in this handbook will be of assistance to you in answering some of those questions.

Please read all the information carefully and keep this handbook as a ready reference. When questions arise which are not answered in the handbook, do not hesitate to ask your supervisor or the Personnel Department to clarify your question in the Personnel Policies and Procedures Manual.

We hope that your employment with Lac Courte Oreilles Ojibwa Community College will be an enjoyable and rewarding experience. You are an important member of our College, and you can be assured that we will be interested in your progress.

The best of luck to you!

Dr. Danielle M. Hornett  
LAC COURTE OREILLES OJIBWA COMMUNITY COLLEGE PRESIDENT

## **PREFACE**

This booklet is not a contract, but is intended solely to give eligible employees a short description of the working conditions at their place of employment. If, at any time, there should be a conflict between a description in the "Handbook" and the Personnel Policies and Procedures Manual, the Personnel Policies and Procedures Manual will govern in all cases. It is suggested that you read the complete Personnel Policies and Procedures Manual as soon as possible. This manual can be obtained from the Director of Human Resources.

## **PURPOSE**

This Handbook will serve as a reference for both new and experienced employees. This information should increase understanding and help to assure uniformity throughout the organization. Any unanswered questions can be referred to your direct supervisor or your department head. Portions of this booklet, like any printed information, may become obsolete due to changes in policies, laws, etc. Supplements and updated information will be distributed from time-to-time.

## **MISSION STATEMENT**

The mission of the Lac Courte Oreilles Ojibwa Community College is to provide within the Indian community a system of post-secondary and continuing education with an Associate degree and certificate granting capabilities.

In carrying out the mission, the Lac Courte Oreilles Ojibwa Community College curriculum will reflect Ojibwa culture and tribal self-determination. The college will provide opportunities for individual self-improvement in a rapidly changing technological world, while maintaining the cultural integrity of the Ojibwa.

## **PHILOSOPHY**

The college curriculum will reflect identified needs and interests of the Lac Courte Oreilles Band of Lake Superior Chippewa by providing Academic, Vocational, and Community programs. The primary purpose is to meet the needs of the Indian population and maintain an open door policy.

## **PURPOSE STATEMENTS**

### **I. INSTRUCTION**

- A. To provide quality instruction through qualified experienced faculty members who have knowledge of and/or sensitivity to the cultural community.
- B. To provide quality instruction through a curriculum designed to lead to Associate of Arts degrees and one-year certificates.

### **II. RESEARCH**

- A. Develop resources and technical assistance for individual, project, and community research.

### III. ACADEMIC SUPPORT

- A. Develop an Instructional Media Center to the Lac Courte Oreilles Ojibwa Community College students, employees, and community.
- B. Develop educational training programs to meet the present and future needs of Lac Courte Oreilles Ojibwa Community College community.
- C. Encourage employee development programs.

### IV. PUBLIC SERVICE

- A. Provide the community with informational and educational resources to improve the standard of living.
- B. Maintain open enrollment.
- C. Provide leadership for cultural preservation.
- D. Provide training for tribal economic development.
- E. Continue to be involved in community and public service.

### V. STUDENT SERVICES

- A. Provide for the development of students socially and culturally through a series of activities planned in response to student interests.
- B. Provide student services custom-designed to meet the needs of the Native American and Non-Indian population.

### VI. INSTITUTIONAL SUPPORT

- A. Update and improve the delivery of educational service for the students of Lac Courte Oreilles Ojibwa Community College.
- B. Develop an overall plan for future expansion of the physical plant.
- C. Develop an overall plan to meet the challenges of accreditation.
- D. Encourage employees to improve their administrative and instructional capabilities by formal instruction and technical assistance from all available resources.

<b>Article:</b>	<b>Administration</b>	<b>1-001</b>
<b>Subject:</b>	<b>The President</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
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The President shall be the chief executive officer of the College and shall exercise such executive powers as are necessary for the proper government of the College and for the protection and advancement of its interests in their entirety. The President shall enforce the regulations and orders of the Board and may issue directives and executive orders not in contravention of the Board. The President shall direct the planning, development and appraisal of all activities of the College and shall be responsible for all activities of the College and shall be responsible for their coordination and implementation. The responsibility for the Annual Report and the College budget and its presentation to the Board for their review or approval shall lie with the President. All matters which need Board review or approval shall be forwarded to the Board through the office of the President or his designated representative.

<b>Article:</b>	<b>Administration</b>	<b>1-003</b>
<b>Subject:</b>	<b>The Academic Dean</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

The College may appoint an Academic Dean, subject to its funding. The Dean shall report to the President, the Dean shall do all things necessary for the development of the post-secondary programs on the reservation, which is under his/her administration. The Academic Dean shall be a member of the President's staff for purposes of inter-reservation cooperation and planning.

<b>Article:</b>	<b>Administration</b>	<b>1-004</b>
<b>Subject:</b>	<b>The Dean of Fiscal Affairs</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

The College may appoint a Dean of Fiscal Affairs, subject to its funding. The Dean shall report to the President, the Dean shall do all things necessary to maintain the College's fund accounting system. Accounts Payable, Accounts Receivable, Payroll, Budgeting, Investments and Fixed Asset Control all fall under the responsibility of the Dean of Fiscal Affairs. The Dean of Fiscal Affairs shall be a member of the President's staff for purposes of inter-reservation cooperation and planning.

<b>Article:</b>	<b>Administration</b>	<b>1-005</b>
<b>Subject:</b>	<b>The Dean of Student Services</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

The College may appoint a Dean of Student Services, subject to its funding. The Dean shall report to the President, the Dean shall do all things necessary for the development of the student services departments, which include the Registrar's Office, the Financial Aid Office and the Student Support Services Department. Recruitment, admissions, retention and transportation shall fall under the responsibility of the Dean of Student Services. The Dean of Student Services shall be a member of the President's staff for purposes of inter-reservation cooperation and planning.

<b>Article:</b>	<b>Administration</b>	<b>1-006</b>
<b>Subject:</b>	<b>Program Directors</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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In carrying out his/her job responsibilities, Program Directors will coordinate all functions of the program, operationally and fiscally. Program Directors will monitor the job performance of all employees under his/her direction. Program Directors will promptly prepare all periodic reports required by the funding source.

<b>Article:</b>	<b>Employment and Hiring</b>	<b>2-001</b>
<b>Subject:</b>	<b>Employment Policy</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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It is the policy of the College to upgrade the professional and economic status of tribal members through the policy of tribal membership preference in hiring, promotion, job training and job opportunities.

<b>Article:</b>	<b>Employment and Hiring</b>	<b>2-002</b>
<b>Subject:</b>	<b>Indian Preference</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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To the extent feasible, qualified Indian applicants will be given preference in hiring. This policy is in keeping with the intent of the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 450 e c, 1994 and Title VII of the Civil Rights Act 703 (i)

The Lac Courte Oreilles Ojibwa Community College shall provide preference to all suitably qualified individuals in employment and training opportunities as outlined below:

Federal policy since 1834, hiring preference given to Indians. The purpose of this preference is: 1) to give Indians a greater participation in self-government; 2) to further the Government's trust obligation; and 3) to reduce the negative effect of having non-Indians administer matters that affect Indian tribal life.

In recent years, legislation enacted by the federal government such as the Civil Rights Act of 1964 and the Education Amendments of 1972 reinforced this policy providing for preferential hiring of Indians by Indian tribes.

The Lac Courte Oreilles Ojibwa Community College exists to serve the educational needs of the Lac Courte Oreilles Tribe and its members. As an employer, the college seeks to employ individuals who possess the educational background, skills, and experience to best meet the employment needs of the Lac Courte Oreilles Tribe.

The Lac Courte Oreilles Ojibwa College establishes the following policy in regards to Indian Preference for selecting employees:

1. Enrolled Lac Courte Oreilles Tribal Member
2. Immediate family members of enrolled LCO Tribal Member
3. Other Enrolled American Indians
4. Others (non-Indians)

This policy shall be applied to top job candidates rated as otherwise equivalent in the selection process.

<b>Article:</b>	<b>Employment and Hiring</b>	<b>2-003</b>
<b>Subject:</b>	<b>Equal Employment Opportunities</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Revision date:	December 19, 2002	

Except as provided herein, there will be no discrimination in selection and promotion because of race, color, creed, age, national origin, physical handicap, marital status, sex or political affiliation.

<b>Article:</b>	<b>Employment and Hiring</b>	<b>2-004</b>
<b>Subject:</b>	<b>Announcement of Job Openings</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Revision Date:	August 29, 2002	

Supervisors shall identify vacancies and develop job descriptions for new positions within their department with the approval and assistance of their immediate supervisor. All job descriptions shall contain the following:

- Job title, department, and supervisor's name
- Posting date, application deadline, preferred starting date, description review
- Pay level (range or hourly rate)
- A brief job summary with duties and responsibilities
- Qualifications
- Inquiry address and telephone number
- Indian Preference statement

Position vacancies will be advertised as widely as possible including:

- Bulletin Boards in a least 4 public places throughout the Reservation
- Statewide public employment agencies, college placement offices, and local media
- LCOOCC Web Site

Positions requiring a post-secondary degree will be posted for a period of thirty (30) calendar days; all other positions shall be posted for a minimum of ten calendar days. This requirement may be waived if the department or program can demonstrate that the 30 day posting will result in substantial harm or delay to the college.

<b>Article:</b>	<b>Employment Hiring</b>	<b>2-005 (a)</b>
<b>Subject:</b>	<b>Application Policy</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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All inquiries for job vacancies will be responded to with an LCO College Application for Employment Form. This form will be made available by mail, in person at the Reception Desk, and on the LCO College Web Site. The application process includes the following:

- Cover Letter
- Resume
- Official Transcripts
- 3 Letters of Reference
- LCOOCC Application for Employment Form
- Hand-delivered applications will be accepted at the College until 4:30 p.m. on the deadline date; mailed applications must be post-marked on or before the deadline date.

<b>Article:</b>	<b>Employment and Hiring</b>	<b>2-005(b)</b>
<b>Subject:</b>	<b>Hiring and Selection</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
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Revision Date:	December 19,2002	

A Selection Committee will be convened after the closing date for the vacancy. The Selection Committee will consist of a minimum of 5 people who do not have a conflict of interest in the hiring of one individual over another:

- Position Supervisor
- 2 Program Grant Director ( professional Staff, Non-Faculty)
- 1 member of Department doing the hiring
- 1 support staff member, at large (rotated)

The Position Supervisor will be responsible for the coordination and completion of the entire selection process. This Committee will verify that all applications (through reference checks), and were accurate applications are complete, are accurate submitted on time. All applications that are incomplete, inaccurate, or submitted after the deadline will be screened out.

The Screening Process will include an analysis of job description to establish screening criteria:

- Minimum required educational qualifications
- Other qualifications as listed on job description

The Selection Committee will recommend a list of applicants to be interviewed. The Administrative Assistant to the President will make arrangements for the interviews with the candidates.

The Position Supervisor is responsible for conducting the interview process and will serve as the Chair of the Interview Committee.

- Candidates shall receive at least a five-day notice of the interview.
- A set of questions related to the qualifications for the position will be generated prior to the interview.
- Each candidate will be asked the same set of questions.
- An interview rating scale designed to objectively evaluate each candidate's qualifications will be used in the interview.

The Position Supervisor will conduct the process. The selection decision will be governed by the LCOOCC Indian Preference Policy.

- Interview candidates and evaluate each individually.
- Total the points and rank the candidates.
- Select the top two candidates based on points received.
- Discuss merits of each of the two candidates.
- Vote by silent ballot to select one person for the position.
- Notify the selected candidate within 5 business days of the decision.
- At the end of the selection process all application originals must be submitted to the Business Office where they will be retained for a period of six months. After six months, the application may be discarded if not used for any other job vacancy consideration.

If the Committee's first choice refuses the offer, the job will be offered to the second ranked candidate. If both candidates refuse the position, the job will be re-posted.

Procedure:

- Employment shall be offered only to candidates who have the necessary qualifications (education and/or job-related experience) in the area of their assignment.
- All employees must have on file in the Office of Administration:
  - A completed and up-to-date application form.
  - A completed and up-to-date emergency notification form.
  - A completed W-4 form.
  - An employment and termination record form.
  - An up-to-date job description.
  - For Administrative and Faculty - complete transcripts of all educational work except for those individuals who have at least a Bachelor's degree in which case only transcripts of post-secondary work are necessary.
  - Any other forms deemed necessary and noted by the President.

<b>Article:</b>	<b>Employment and Hiring</b>	<b>2-006</b>
<b>Subject:</b>	<b>Statement of LCO Tribal Member Preference Understanding</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

Upon acceptance of employment, all non-members of the Lac Courte Oreilles Band of Chippewa Indians shall sign the following statement:

I understand that it is the policy of the Lac Courte Oreilles Band of Chippewa Indians to hire tribal members before hiring non-members. By accepting this employment, I understand that the College reserves the absolute right to hire a qualified tribal member to replace me at the end of the contract period.

<b>Article:</b>	<b>Employment and Hiring</b>	<b>2-007</b>
<b>Subject:</b>	<b>Probationary Period</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
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Probation is a working test period following an appointment to observe the new employee's performance, to secure the most effective adjustment of a new employee to the position, and to discontinue the employment of any employee whose performance does not meet the required work standards.

The first ninety (90) days of employment is on-the-job training and learning experience. Interruption of the probationary period, such as sickness or absence for other reasons-postpones the completion of the ninety days probation. This is a time when supervisors will discuss with their employees the program, and the fulfillment of job responsibilities. It is the responsibility of the immediate supervisor to help, adjust as needed, or if he/she deems the employee is not suited for the job, to advise, in writing, the specific job responsibilities in which improvement is required.

By the same token, it is a period for employees to assess the new job; to decide whether the job is the position that was anticipated; and if it suits the abilities and interests of the employee. Leave time will be accrued but not approved for use until after passing the 90-day probationary period. During this period the employee or supervisor may terminate the employment without identifying any reason, if it is determined by either party that the employee is not suitable for the job.

Every NEW EMPLOYEE shall be subject to a probationary period of ninety (90) calendar days during which the employee's performance will be evaluated at 30, 60 and 90 days to determine his/her capabilities for regular employment. Probation provisions:

1. A probationary employee who fails to obtain a "Satisfactory" performance rating in any category from his/her immediate supervisor shall be dismissed without recourse to the LCOOCC Problem Solving Procedure;
2. A probationary employee may use his/her accrued sick leave after thirty (30) days, and may use his/her accrued annual leave after he/she has achieved regular status. The accrual of annual and sick leave shall begin on the date of employment.
3. A probationary status employee shall not be eligible for paid training unless approved by the supervisor and President.
4. The employee's supervisor shall draft a letter upon successful or unsuccessful completion of the probation period.
5. During this period the employee or the supervisor may recommend termination of the probationary employee without identifying any reason, if it is determined by either party that the employee is not suitable for the positions

FORMER EMPLOYEES shall not have the probation period waived.

PROMOTED AND TRANSFERRED EMPLOYEES shall be subjected to a new ninety (90) day probationary period to determine satisfactory job performance. Any such employee may continue to utilize his/her accrued benefits. The immediate supervisor shall conduct a performance evaluation at the end of the probationary period. A rating of "Unsatisfactory" shall be grounds for termination. The employee, at the discretion of the supervisor, may be transferred to his/her original position if a position is available.

At the end of an employee's probationary period, the employee will be granted regular status upon meeting the following conditions:

1. The completed evaluation form is provided to the employee;
2. The evaluation states the satisfactory rating of employee performance;
3. A signed copy of the evaluation will be filed in the personnel file.

Employee's signature indicates neither agreement nor disagreement with the summary. The signature indicates that the summary has been discussed with the employee. The supervisor will provide a statement if the employee refuses to sign the summary.

The probationary period may be extended due to the excused absence from work due to medical reasons or other unusual circumstances. However, such extension shall not exceed the number of workdays the employee was absent. The immediate supervisor shall submit a written request to the President who shall approve the extension upon adequate justification.

TEMPORARY EMPLOYEES will not have these conditions to satisfy. There is not a probationary period. The employment of a temporary employee may be dissolved at any time and/or as the job assignment is completed.

ADJUNCT FACULTY are employed as a part-time employee to carry out instructional functions of the institution. These employees are contracted and compensated on a per credit hour basis not to exceed nine (9) credits per semester. This classification is not eligible for benefits.

<b>Article:</b>	<b>Employment and Hiring</b>	<b>2-008</b>
<b>Subject:</b>	<b>Nepotism</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
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Revision Date:	January 19, 2001, August 29, 2002, December 19, 2002	

#### Personnel Decisions

No member of the immediate family of an applicant or employee shall participate in any proceedings to hire, resolve a grievance or appeal, or to terminate employment, or those with obvious persons with conflict of interest.

#### Employee Supervision

No member of the immediate family of an applicant or employee shall serve as a direct supervisor. A waiver of this provision may be granted by the Selection Committee, subject to the review of the Board of Regents. A waiver may then be granted by the Board of Regents if it is satisfied that the following conditions have been met:

- The services of the employee cannot be obtained from any other available person with the same or equivalent qualifications.
- That the Selection Committee is satisfied that the department in which the employee is working will not be adversely affected in service delivery or employee morale by the relationship of the employee to the direct supervisor.

#### Definition of "Immediate Family"

For the purpose of the College Employee Handbook, "immediate family" means wife, husband, son, daughter, mother, father, sister, brother, son-in-law; daughter-in-law, mother-in-law, father-in-law, sister-in-law, and brother-in-law of employee.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-001</b>
<b>Subject:</b>	<b>Employee Classifications</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Revision Date:	December 19, 2002	

### Employee Classifications

#### Non-Exempt Status Employees

All provisions of the Fair Labor Standards Act applies to regular full-time employees. This includes overtime compensation and other conditions that will impact the regular work week. LCOOCC will follow the Fair Labor Standards Act in establishing minimum wages.

#### Exempt Status

This classification of employee includes professional and management positions. Overtime compensation does not apply to this classification.

#### Regular Full-Time Status Employment

A regular full-time status employee who has completed the probationary period, and received a satisfactory rating upon completion of the probationary period and is working a minimum of 40 hours per week is eligible for all allowed benefits.

#### Regular Part-time Status Employment

A regular part-time status employee may work up to 20 hours per week and shall not be eligible for benefits.

#### Temporary Status Employment

A temporary employee may be hired only upon submission of the following by the immediate supervisor of the position.

1. A justification of a temporary position;
2. A job description and scope of work;
3. Availability of funding; and
4. Effective dates of employment, not to exceed 6 months.

Any extensions of time for temporary employment shall be subject to the same conditions as in the initial hiring. Extensions may be made when a regular employee is temporarily absent or the work for which the temporary employee was hired requires completion. A temporary employee will be eligible for compensatory time or overtime when necessary and approved in advance by the Director.

#### Full-time Faculty

Employees whose primary responsibilities are developing curriculum and/or teaching courses for credit.

Employment Terms shall be determined by the number of weeks to be worked as specified by their annual contract:

Forty-eight Weeks – Employees under this classification have an annual work term of forty-eight (48) weeks.

Thirty-eight Weeks – Employees under this classification have an annual work term of thirty-eight (38) weeks.

Work calendars are to be approved by the College Board of Regents.

#### Job Descriptions

A job description for each position shall be written by the supervisor and reviewed by President. A copy shall be filed in the employee's personnel file with both the employee and the supervisor being furnished a copy.

Each job description shall be reviewed annually by the employee and the supervisor during the performance evaluation process, any significant changes shall be incorporated into a revised job description.

The job description will be signed by the employee to acknowledge understanding of the duties and responsibilities outlined in the job description.

#### Contractors/Consultants

Contract Labor, to include the title of Consultants, may be hired as needed, if funds are available, and with the prior approval of the President.

A written agreement of work to be completed prior to initiating work.

1. Contract Labor personnel are hired to perform certain functions, and retain control over the method of doing such work;
2. Contract Labor personnel typically provide their own equipment and supplies for performing the work;
3. Contract Labor will be responsible for paying their own taxes.
4. Contract Labor will not be provided any benefits in these policies.
5. Contracts in excess of \$5,000.00 must be competitively bid
6. The supervisor requesting the consultant must sign a statement declaring that contracting there are no conflicts of interest in the process.

Article:	Conditions of Employment	3-002
Subject:	Salary	Page 1 of 1
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19,2002	

The LCOOCC shall pay equitable wages and salaries based on consideration of the experience and education.

1. All wages and salaries shall be subject to approval by the program/department supervisor, Dean of Fiscal Affairs and the College President.
2. All wages and salaries are determined based on position requirements as stated on the job description and position classification system.
3. All wages and salaries will be determined by the funding available and the regulations those funding providers require.

#### Pay Day

Employees will be paid weekly beginning the second week of employment either by checks or Direct Deposit. The employee must submit the bank account to be credited. Adjunct Faculty will be paid on a monthly basis.

#### Loans Against Pay

No loans against a salary shall be provided. This also prohibits early release of paycheck.

### Payroll Deductions

Payroll deductions shall consist of the following:

1. Mandatory deductions required by governmental entities. These type of deductions normally include federal income taxes, social security contributions and/or group care plans, pension plans or those imposed by special purpose regulatory bodies and courts; and
2. Voluntary deductions made at the request of an employee.
3. The individual employee is ultimately responsible for accuracy and timeliness for all voluntary payroll deductions.

### Overtime Pay

Only non-exempt employees shall be entitled to compensation for hours worked in excess of forty (40) hours per week. Compensation will be at 1 and one half times the regular pay for all hours worked beyond forty (40) hours per week.

All overtime must be approved in advance by the immediate supervisor or the Dean. Overtime shall be provided when it is necessary to meet deadlines or emergency situations and is approved in advance by the immediate supervisor or the Dean.

Overtime Approval Forms are available in the business office and must be completed prior to working approved overtime hours.

Overtime for non-exempt employees shall not be approved for meal/rest periods during while being compensated on a per diem basis unless the employee is actually working on college business. All requests for overtime resulting from travel must be approved in advance by the supervisor or Dean.

Violation of having any overtime not approved will result in disciplinary actions.

### Compensatory Time

Only non-exempt (hourly) employees qualify for compensatory time or overtime only after forty (40) hours of work in one week. The annual limit of compensatory time must be exhausted before any overtime will be paid in check form.

The use of compensatory time shall be coordinated with the immediate supervisor and shall be used within two pay periods from the date it is earned and recorded. Employees will be compensated with up to 240 hours of compensatory time per year (for 160 hours of overtime worked). After 240 hours of compensatory time, the employee will be paid by check for the overtime.

1. Payment shall not be made for accrued compensatory time when an employee terminates their employment.
2. The President may allow payment of overtime if the absence of the employee will cause hardship to the department.

#### Pay Increase

Employees will be reviewed annually to evaluate progress. Pay increases may be implemented for:

1. Educational Increases – a supervisor may recommend an increase due to the employee obtaining of additional credits, certification or degree in the field of employment. This is contingent upon funding allowance and availability.
2. Cost of Living Adjustments – all employees will be eligible for COLA based upon budget availability and amounts recommended through the annual federal rate of adjustment.
3. An employee may obtain a current salary schedule from the business office.

#### Pay Decrease

An employee may have a reduction in compensation based upon the availability of fund.

#### Overtime Pay

Only non-exempt employees shall be entitled to compensation for hours worked in excess of forty (40) hours per week. Compensation will be at One and one half (1½) times the regular pay for all hours worked beyond forty (40) hours per week.

All overtime must be approved in advance by the immediate supervisor or the Dean.

Overtime shall be provided when it is necessary to meet deadlines or emergency situations and is approved in advance by the immediate supervisor or the Dean.

Overtime Approval Forms are available in the business office and must be completed prior to working approved overtime hours.

Overtime for non-exempt employees shall not be approved for meal/rest periods during while being compensated on a per diem basis unless the employee is actually working on college business. All requests for overtime resulting from travel must be approved in advance by the supervisor or Dean.

Violation of having any overtime not approved will result in disciplinary actions.

#### Compensatory Time

Only non-exempt (hourly) employees qualify for compensatory time or overtime only after forty (40) hours of work in one week. The annual limit of compensatory time must be exhausted before any overtime will be paid in check form.

1. The use of compensatory time shall be coordinated with the immediate supervisor and shall be used within two pay periods from the date it is earned and recorded.
2. Employees will be compensated with up to 240 hours of compensatory time per year (for 160 hours of overtime worked). After 240 hours of compensatory time, the employee will be paid by check for the overtime.
3. Payment shall not be made for accrued compensatory time when an employee terminates their employment
4. The President may allow payment of overtime if the absence of the employee will cause hardship to the department.

Article:	Conditions of Employment	3-003
Subject:	Fringe Benefits	Page 1 of 1
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19,2002	

This section will outline the available benefits to the employees of LCOOCC. The details of the benefits are available by contacting the Business Office.

All regular full time and probationary status employees are eligible for benefits set forth in these policies.

#### Medical/Life Insurance

The College Board of Regents approves payment in full of the premium for a single major medical policy for each regular full-time employee employed by the institution. Should an individual employee elect not to accept coverage, the difference in the cost of premium coverage will not be paid in cash as salary benefit. Coverage is for the full year. The option for family or limited family (spouse) is available at the employee's expense.

LCOOCC reserves the right to discontinue this coverage, change providers, make changes in the coverage that would affect the amount of premium, the deductible, or the total benefits, and to change the percentage of premium which it will pay for either employees or dependents.

A comprehensive package of benefit detail is available in the Business Office.

#### Retirement/Pension Plan

Upon completion of the 90-day Probation Period regular full-time employees may elect to enroll in the College Retirement System. Enrolled employees must contribute a minimum of one (1%) percent of their gross salary to receive a minimum of four (4%) percent contribution from the college. The college will not pay cash in lieu of retirement benefits.

A full package detailing the retirement program is available in the Business Office.

#### Worker's Compensation

LCOOCC shall provide worker's compensation insurance to provide for payment of medical expenses and partial salary continuation in the event of a work-related accident or illness. The amount of benefits payable, and the duration of payment, depends upon the nature of the employee's injury or illness. If an employee is injured, or becomes ill on the job, the employee must immediately report the injury or illness to his/her immediate supervisor to ensure the LCOOCC can assist in obtaining the proper medical treatment. Failure to follow this procedure may result in the appropriate worker's compensation report not being filed in accordance with law, which may consequently jeopardize the employee's rights to benefits in connection with the injury or illness. OSHA 300 record keeping will be followed in relation to accident reporting.

#### Unemployment Insurance

The College is covered under the Federal and State Unemployment Compensation Laws and makes contributions for this purpose on behalf of the employees. The actual amount is determined by the State of Wisconsin. This program provides weekly benefits for persons who become unemployed through no fault of their own and who may thereafter be unable to secure work for which they are qualified.

#### COBRA

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the College health plan when a "qualifying event" (e.g., resignation, termination of employment, or death of an employee, an employee's divorce or legal separation) would normally result in loss of eligibility.

Under COBRA, the employee or beneficiary pays the full cost of the full coverage at the College group rates, plus an administration fee. LCOOCC provides each eligible employee with a written notice

describing rights granted under COBRA when the employee becomes eligible for coverage under the College health plan. The notice contains pertinent information about the employee's rights and obligations.

#### Professional Memberships

Deans may review and approve the professional memberships of employees. The memberships must be directly related to the position and scope of department. The approval will be contingent upon available and allowable funding.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-004</b>
<b>Subject:</b>	<b>Pay Period</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Rescission Date:	December 19, 2002	

Employees shall be paid on a weekly basis, beginning on the second Friday from the date of their initial employment. Adjunct Faculty shall be paid on the first Friday of the month.

Note: Weekly payroll checks shall be distributed to employees by the Business Office after 11:30 a.m. each Friday. In the event of a holiday or other non-working day falling on a Friday, the weekly payroll shall be distributed on the preceding working day no sooner than 11:30 a.m.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-005</b>
<b>Subject:</b>	<b>Loans</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

Absolutely no loans, in any amount, for any reason, shall be entertained or considered for authorization by the President or any member of Administration.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-006</b>
<b>Subject:</b>	<b>Payroll Advance</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

Payroll advances not exceeding an employee's net weekly salary may be authorized by the College President for the following situations:

- Death or severe illness of employee, employee's spouse, children, parents, grandparents, or brother/sister.
- If going on annual leave and the employee will not be in the office on the following payday.
- If going on a college business trip and the employee will not be in the office on the following payday.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-007</b>
<b>Subject:</b>	<b>Early Check Release</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

Early check release will not occur until the entire payroll has been processed and the checks have been validated with signatures. The College President is the only person authorized to release individual payroll checks, and only for the same reason delineated under "Payroll Advances."

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-008</b>
<b>Subject:</b>	<b>Work Schedule</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Dates:	January 19, 2001, December 19, 2002	

Normal working hours shall be from 8:00 a.m. to 12:00 noon and from 12:30 p.m. to 4:30 p.m. Employees are entitled to two paid fifteen minute breaks and an unpaid one half hour lunch period.

Variations can and must be approved by the immediate supervisor. Employees will be provided their designated work schedule by their supervisor or appropriate Dean.

Employees are expected to arrive on time and leave only as scheduled.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-009</b>
<b>Subject:</b>	<b>Work Week</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

The standard schedule for work is based on a forty-hour week. The work schedule may differ for employees based upon college need. Professional employees are expected to attend to their responsibilities irrespective of time or work schedule. Forty-eight week employees work from August 1 to June 30.

#### Faculty Load

The Administration of Lac Courte Oreilles Ojibwa Community College reserves the right to assign instructional load. The normal faculty teaching load is fifteen credit hours or twenty-five contact hours per week per semester.

Procedure:

- Overload: The President may determine Eligibility for overload pay. Normally overload may be compensated with time.

- **Part-time:** Part-time faculty may not be employed for more than seventy-five (75) percent of a normal teaching load based on a two-semester average.
- **Reimbursement:** Pay for the two situations stated above will follow the Board approved policy for adjunct faculty.
- **Special Assignments:** Full-time faculty may be given credit for time in lieu of classroom instruction to perform duties and assignments determined by the Dean and the President; should their load fall below the minimum standard teaching load.
- **Office Hours:** Faculty shall maintain posted office hours. If need arises, faculty shall be available for conferences by appointment. An office hour represents time regularly scheduled for the purpose of consultation with students and other activities pertinent to instruction.
- **Related Meetings:** Faculty shall attend faculty and assigned committee meetings.
- **Professional Development:** Faculty shall participate in in-service and professional development programs when offered.
- **Other Activities:** Faculty may be asked to assist with student and non-instructional college activity programs.
- **Other duties associated with full-time general faculty responsibilities, including but not necessarily limited to:** maintaining accurate student records; coordinating theory and instruction with other faculty; participating in curriculum design, review, development and evaluation; assisting in program review and planning activities, participating in departmental affairs, college committee work, student assessment and accreditation; demonstrating commitment to professional excellence by remaining current in the subject matter and utilization of effective instructional techniques. Teaching assignments may include day and evening classes.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-010</b>
<b>Subject:</b>	<b>Instructional Day</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

An instructional day will be considered as being from 7:00 a.m. to 9:00 p.m. within the established instructional calendar. Faculty shall be assigned a normal teaching schedule within this time period. Teaching schedules shall be approved by the Academic Dean.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-011</b>
<b>Subject:</b>	<b>Time Cards</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

- Each non-exempt employee shall be given a time card.
- Each non-exempt employee's time card must be time stamped, (punched), when the employee starts work and when the employee leaves. Anyone found punching another person's card, asking another person to punch his or her card, or in any way falsifying his/her or another employee's card, shall be subject to dismissal.
- Each non-exempt employee must submit his or her time card with their signature and that of the employee's immediate supervisor.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-012</b>
<b>Subject:</b>	<b>Flex Time</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

All accrual of flex time must be requested, and approved, in writing by your immediate supervisor. Flex time must be used during the week it is accumulated.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-013</b>
<b>Subject:</b>	<b>Tardiness and Absence</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

Employees are expected to observe the established workday schedule. Tardiness in the morning or at lunch hour is not desirable. The time of absence may be taken out of leave due. This must be done in writing, preferably the same day.

Whenever possible, all employees are expected to call and report to their supervisor when they know their arrival time will be delayed more than thirty (30) minutes beyond scheduled arrival time.

Each employee should anticipate absence from the office and notify his/her immediate supervisor as far in advance as possible.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-014</b>
<b>Subject:</b>	<b>Unauthorized Absence</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

Unauthorized absence is absence not authorized by the supervisor or the President.

- Any absence or failure to participate in required official College functions or activities without prior justification and approval from the immediate supervisor shall result in withholding of salary for the day, or portion thereof.
- Unauthorized absence for three consecutive days may be considered a voluntary resignation by the employee's supervisor.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-015</b>
<b>Subject:</b>	<b>Confidentiality, Conflict of Interest and Other Conduct</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

All employees at Lac Courte Oreilles Ojibwa Community College shall conduct his/her self in such a manner as to be a credit to the Lac Courte Oreilles Band of Lake Superior Chippewa Indians:

- Personal information concerning employees or students shall not be disclosed to any outside entity unless it is a matter of public record and not covered by the Federal Privacy Act and Family Educational Rights Protection Act.
  - Those employees whose job responsibilities include acquisition of confidential knowledge are subject to dismissal if any such information is disclosed without authorization.
- Outside activities must not conflict with your employment duties. Conflict shall include, but not be limited to the following:
  - Where the goals and objectives of the organization are the direct opposite of the goals and objectives of the tribe;
  - Where activities substantially interfere with performance of normal job responsibilities during regular working hours;
- That you maintain and show proper respect and courtesy for fellow employees.
- Employees whose salaries are derived from Federal and State funds are subject to applicable governing laws.

<b>Article:</b>	<b>Conditions of Employment</b>	<b>3-016</b>
<b>Subject:</b>	<b>Employee Indebtedness</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

It is the policy of the College Board of Regents that any College employee who is indebted to the College shall execute a wage assignment or make other arrangements to satisfy such outstanding indebtedness.

Failure to provide for the payment of such indebtedness can result in termination.

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-001</b>
<b>Subject:</b>	<b>Holidays</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

Holidays observed by the employees of the Lac Courte Oreilles Ojibwa Community College will be the following:

48-Week Employees

New Years Day  
 Martin Luther King Day  
 Treaty Day  
 President's Day  
 Good Friday  
 Easter Monday  
 American Indian Day  
 Memorial Day  
 July 4th  
 Labor Day  
 Veterans Day  
 Thanksgiving  
 Christmas

38-Week Employees

New Years Day  
 Martin Luther King Day  
 Treaty Day  
 President's Day  
 Good Friday  
 Easter Monday  
  
 Labor Day  
 Veterans Day  
 Thanksgiving  
 Christmas

Note: In order to receive a paid holiday, it is required that the employee be on the job the day preceding the holiday and the first working day after the holiday, unless they are sick.. Or you get prior approval from supervisor.

Weekend Holidays

Observance of holidays which fall on Saturday in a particular calendar year shall be held on the preceding Friday. Holidays which fall on a Sunday in a particular calendar year shall be observed on the following Monday.

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-002</b>
<b>Subject:</b>	<b>Earned Annual Leave</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	January 18, 2001, December 19, 2002	

College employees eligible for annual leave by contract shall accumulate hours based upon the total number of years of service with any Lac Courte Oreilles Tribal Entity. No vacation time will be accrued beyond the approved negotiated employee contract term.

No Employee shall be allowed to carry over more than 120 hours of accrued annual leave from one fiscal year to another.

Each employee eligible for annual leave shall receive the following:

Yrs. Of Service	Days per Month	Days Per Yr.
0-3	1	12
4-10	1.25	15
11-30	1.5	18

An employee will be paid for any unutilized annual leave upon termination.

Any emergency situation will be considered for approval after the fact.

All annual leave must be approved two (2) weeks in advance with your immediate supervisor.

Absences due to illness shall be charged against accumulated sick leave, then compensatory time, then annual leave, and finally leave-without-pay.

Regular full time 48 week employees shall accrue annual leave according to longevity in employment. Employees who are on Leave Without Pay or are on suspension status shall not earn Annual Leave. Annual Leave shall accrue as follows:

A total of hours may be accumulated and carried over from one fiscal year to the next. Hours in excess or 120 hours will be forfeited as of the last day of each fiscal year. Business office will notify each employee by November 15 and April 15 of each year to the number of hours accrued and number to be forfeited.

The following utilization of Annual Leave:

1. Subject to the approval of the immediate supervisor, Annual Leave shall be requested by the employee at least forty (80) working hours in advance to allow the supervisor and employee to make alternate plans for the orderly flow of work. Exceptions may be made in emergency situations;
2. An employee who is absent from work without prior approval shall not be granted Annual Leave – it must be charged to Sick Leave or Leave Without Pay;
3. The supervisor may disapprove the Annual Leave when conditions are present that would cause hardship to the department;
4. Advances on Annual Leave will not be allowed.

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-003</b>
<b>Subject:</b>	<b>Sick Leave</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	January 18, 2001, December 19, 2002	

Sick leave may be taken when an employee is required to take time off from work for medical reasons or when the employee is physically unable to perform the job duties. Sick leave may be taken for the care of an immediate family member.

Accrual of sick leave – Regular and probationary status employees shall accrue sick leave at the rate of eight (8) hours per month from the date of employment. There is no limitation to the accrual of sick

leave. Employees who are on leave without pay, absent without leave or on suspension status shall not earn sick leave.

Use of sick leave:

- After three (3) consecutive days of absence, the College reserves the right to request a qualified Physician's statement verifying the illness of the employee. The President may withhold payment or the employee's salary for the days of absence, if such a statement is asked for and is not provided within two (2) weeks after such request is made.
- When the employee is confined at home or at a hospital, he/she shall designate a person to notify the employee's immediate supervisor of the reason and anticipated length of absence on or before 8:30 AM on the first day of such absence. The employee shall submit a written leave request upon his/her return to work.
- If excessive sick leave is utilized or if the employee has an apparent medical problem, the supervisor may request a medical evaluation with the review and approval of the President. This evaluation will be at the expense of the College.

Sick leave is cumulative.

Payment for sick leave. Payment will not be made for accrued sick leave upon separation from employment.

Donation of sick leave – Employees may donate their accrued sick leave not to exceed forty (40) hours per year. The employee must complete the Donation of Sick Leave form obtained through the Business Office. Employees requesting sick leave hours must seek approval through the Business Office. Hours donated will be an hour-to-hour transfer, not contingent on the salary or wage of the donor. Amount of hours received will be calculated by Business Office.

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-004</b>
<b>Subject:</b>	<b>Emergency Leave</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

The purpose of emergency leave is for the situations that are not covered by other leave policies for a particular employee classification. Emergency leave may be granted with pay under the following conditions:

- College employees must have the approval of their immediate supervisor(s). Requests from Faculty must have the approval of the Academic Dean.
- Requests must meet one of the following criteria:
- Critical illness or death of an individual where a close personal relationship exists, but is not covered by the term "immediate family".
- There are other situations qualifying for emergency leave. In the situations below, the leave shall not exceed five (5) days per year except when specified approval is obtained.
  - Unusual conditions (acts of God and/or natural disasters) over which the employee has no control and which require his presence (could include inability to report to work because of weather conditions).

- Recognized religious holidays or observance for beliefs not observed by the Christian religious calendar.
- Absence if the matter is judged grave or important enough by the appropriate supervisor(s).

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-005</b>
<b>Subject:</b>	<b>Jury/Court Leave</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

Leave will be granted for employees in order to fulfill jury/court obligations. No deduction will be made from the salary of an employee for required appearances in court, including jury duty, when the reason for such appearance is not personal to the employee. If the employee receives witness fees or jury duty fees, the employee will be paid the difference of jury duty fees to that of their regular salary or wage. All benefits will continue with accrual.

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-006</b>
<b>Subject:</b>	<b>Military Leave</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

A regular employee who is a member of the U.S. Armed Forces or National Guard and who is ordered into active service shall be granted a ten (10) day leave of absence with pay per leave year. Thereafter, the employee will be paid the difference of military pay to that of their regular salary or wage. All benefits will continue with accrual. The following must be followed:

- A written request for military leave must be submitted with a copy of the employee's military orders signed by a commanding officer of the Armed Forces of which the employee is a member;
- Upon return from leave of absence for military activities, the employee shall furnish a certificate of attendance of the days engaged in military activities from his/her commanding officer; and
- Temporary or probationary status employees who are members of the Armed Forces shall be granted military leave when called to duty. Pay will continue with the difference of military pay being deducted.

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-007</b>
<b>Subject:</b>	<b>Training</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	

Replaces:	None
Approved by:	Board of Regents
Effective Date:	December 1, 1997
Revision Date:	December 19, 2002

All college employees will be granted leave time to attend one college course per semester to enhance their present job skills. The college will be the first choice for training. Secondary options will be reviewed and granted on an individual basis.

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-008</b>
<b>Subject:</b>	<b>Service on Committees and Boards</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

The Board of Regents encourages College employees to participate in community service by their service on tribally approved boards, committees, and agencies. Service on a committee, board, or agency can be by appointment or by volunteering. If appointed, regular work hours may be utilized to carry out their service responsibilities. Employees are expected to carry out their service responsibilities, if at all possible, outside of their regular working hours. All employees must obtain the permission of their supervisors in order to leave work.

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-009</b>
<b>Subject:</b>	<b>Family &amp; Medical Leave</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	January 18, 2001, December 19, 2002	

The college will provide four weeks (160 hours) of paid maternity leave to deliver and/or care for a newborn child. Paternity leave may be granted for one week (40 hours) with pay.

#### Eligibility

- Employees who have been employed for at least twelve (12) months, or have worked at least 1250 hours during the previous twelve (12) months are eligible.

Upon the utilization of the entire approved leave, accrued sick leave followed by annual leave may be used.

Pursuant to the Family and Medical Leave Act of 1993 (FMLA), whose purpose is to protect an employee's job position while on family or medical leave, an employee may take up to twelve (12) weeks of unpaid job protected leave during any twelve (12) month period for family and medical reasons as set forth below:

- Upon the birth of the employee's child;
- Upon the placement of a child with the employee for adoption or foster care;
- When the employee is needed to care for his/her child, spouse, or parent who has a serious health condition; or

- When the employee is unable to perform the functions of his/her position because of a serious health condition.

The use of Family and Medical Leave Act leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. For the duration of leave, employee's health coverage under any Group Health Plan shall be maintained. Upon return from leave, employees shall be restored to their original or equivalent positions with equivalent pay, benefits, and or other employment terms.

The Family and Medical Leave Act makes it unlawful for any employer to:

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

The United States Department of Labor is authorized to investigate and resolve complaints of violation. An eligible employee may bring a civil action against an employer for violations. Family and Medical Leave Act 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.

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-010</b>
<b>Subject:</b>	<b>Leave of Absence</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

College employees may be granted, on an individual basis, a leave of absence status, without pay, for not longer than thirty (30) calendar days, for any of the following reasons:

- Necessary absence due to illness or other personal reasons which extend in time beyond available annual, sick or emergency leave;
- Extended absence from the reservation for such purposes as research, advanced training, education attainment, etc., which leads to increase employment ability and job skills and which is in the interest of the College.

College employees, while on a leave of absence, without pay, shall not accumulate any annual leave; or sick leave, nor shall such employee receive any employee benefits. The employee, may at his/her option, apply to continue coverage of any discontinued insurance program by assuming payment of the insurance premium.

<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-011</b>
<b>Subject:</b>	<b>Extended Leave</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	

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<b>Article:</b>	<b>Holidays and Leaves</b>	<b>4-012</b>
<b>Subject:</b>	<b>Sabbatical Leave</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
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Effective Date:	December 19, 2002	

A regular full time employee must complete two (2) years of continuous employment with the LCOOCC to be eligible for Educational Leave.

Educational Leave not to exceed one (1) year under the following conditions:

- The employee submits a written request and Professional Development Plan to his/her immediate supervisor. The supervisor shall submit the written request and employee performance evaluation to the appropriate Dean for approval at least ninety (90) days prior to such leave;
- The employee will not be compensated during this leave;
- The employee may elect to exhaust his/her Annual Leave or request to be placed on Leave Without Pay;
- The college shall continue to make the monthly contributions to his/her group insurance premium and retirement payments; and
- The employee enters into a written contract and agrees to remain under employment for a period of one (1) year following the completion of educational leave.
- If the contract is broken by the employee, he/she must reconcile the insurance premium with the Business Office.

Anything less than attending school full time will be addressed at the discretion of the President and will result in a written agreement.

<b>Article:</b>	<b>Travel</b>	<b>5-001</b>
<b>Subject:</b>	<b>Travel Reimbursements &amp; Advances</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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An employee's supervisor, within budgetary limitations, will approve or disapprove all requests for travel.

All travel arrangements must be made through the Business Office's travel coordinator.

Only expenses directly involved with college business shall be considered allowable expenses.

Allowable expenses may be paid in advance upon request, or will be paid upon return to campus by the Business Office.

- **Travel advance:** An estimate of expenses shall be provided in advance by the individual traveling on Business Office approved forms.
- **Reconciliation:** A travel reconciliation and necessary receipts must be submitted to the Business Office within five working days of the traveler's return.

Accounting:

- **Mileage** will be paid upon presentation of odometer readings.
  - Distances for mileage calculation shall be calculated from the lesser of the college or from the employee's residence.
  - Every effort shall be made to utilize car pooling and mass transportation.
- **Per diem:**
  - Per-diem expenses shall only be paid if the travel extends 12 hours or more.
  - On the day of departure and day of return per diem is paid at three quarters of the federally approved rate per OMB Circular A-122.
- Other expenses, such as taxi fare, parking, printing, and other miscellaneous costs, may be reimbursed upon presentation of receipts during reconciliation.

#### **Local Travel**

Travel to any place within ninety (90) miles of Lac Courte Oreilles Ojibwa Community College.

Local Travel advance requests shall be submitted no later than one calendar week prior to date of departure.

#### **Out of Area Travel**

The President, in addition to the employee's supervisor, shall approve all out-of-area travel in advance.

The employee shall request air travel a minimum of twenty-one (21) calendar days prior to the proposed departure date. Employees shall fly coach unless extenuating circumstances apply and the President approves in advance.

Other Travel advance requests (not involving air travel), shall be submitted a minimum of two calendar weeks prior to proposed date of departure.

<b>Article:</b>	<b>Travel</b>	<b>5-002</b>
<b>Subject:</b>	<b>Instructional and Co-curricular Travel</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

Instructional and co-curricular travel is an integral part of many college students' education and experience. The group travel or class trip must be part of the educational objective of the course of study and fall within budgetary limitations.

Procedure:

- Field trips for instructional purposes **require approval in advance** by the department supervisor and the Dean.
- The trip supervisor must file a Travel Expense Voucher before any trip is taken.
- All allowable expenses may be paid in advance upon request to the Business Office, or will be paid upon return to campus by the Business Office. To claim these expenses, a Travel Expense Voucher and necessary receipts must be filed in the Business Office. In the case of an advance, an estimate of the expenses will be provided by the supervisor of the trip.
- An employee or student may not solicit funds from outside College sources without prior permission from the College.

<b>Article:</b>	<b>Travel</b>	<b>5-002</b>
<b>Subject:</b>	<b>Travel Compensatory</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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For exempt employees returning from approved travel status, their immediate supervisor can permit flexible time. This flexible must be used within the following two (2) pay periods. Flexible time shall not exceed eight (8) hours per trip.

<b>Article:</b>	<b>Promotions &amp; Transfers</b>	<b>6-001</b>
<b>Subject:</b>	<b>Promotions &amp; Transfers</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Revision Date:	December 19, 2002	

PROMOTED AND TRANSFERRED EMPLOYEES shall be subjected to a new ninety (90) day probationary period to determine satisfactory job performance. Any such employee may continue to utilize his/her accrued benefits. The immediate supervisor shall conduct a performance evaluation at the end of the probationary period. A rating of "Unsatisfactory" shall be grounds for termination. The employee, at the discretion of the Director, may be transferred to his/her original position if a position is available.

At the end of an employee's probationary period, the employee will be granted regular status upon meeting the following conditions:

1. The completed evaluation form is provided to the employee;
4. The evaluation states the satisfactory rating of employee performance;
5. A signed copy of the evaluation will be filed in the personnel file.  
Employee's signature indicates neither agreement nor disagreement with the summary.  
The signature indicates that the summary has been discussed with the employee. The supervisor will provide statement if the employee refuses to sign the summary.

The probationary period may be extended due to the excused absence from work due to medical reasons or other unusual circumstances. However, such extension shall not exceed the number of workdays the employee was absent. The immediate supervisor shall submit a written request to the Dean who shall approve the extension upon adequate justification.

TEMPORARY EMPLOYEES will not have these conditions to satisfy. There is not a probationary period. The employment of a temporary employee may be dissolved at any time and/or as the job assignment is completed.

ADJUNCT EMPLOYEES are employed as a part-time employee to carry out instructional functions of the institution. These employees are contracted and compensated on a per credit hour basis. This classification is not eligible for benefits.

<b>Article:</b>	<b>Performance Evaluations</b>	<b>7-001</b>
<b>Subject:</b>	<b>Performance Evaluations</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	
Revision Date:	December 19,2002	

All College employees will be evaluated at the end of their probationary period and at the end of each academic year. No employee may receive a raise in pay without first being evaluated by his/her immediate supervisor.

<b>Article:</b>	<b>Personnel Records</b>	<b>8-001</b>
<b>Subject:</b>	<b>Contents of Personnel File</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

Items maintained in personnel file:

- Job application and references, if any.
- Current job description.
- Salary and increases or decreases and the amounts.
- Changes in employment status.
- Personal efforts to upgrade skill level.
- Employment history with the entire Tribe, if previously employed.
- Information required by applicable federal, state or local law.
- Periodic performance records.
- Personnel actions, including positive and negative comments; disciplinary actions recommended or taken; and employee's comments concerning the matters.
- Any other information necessary for effective personnel administration or for compliance with the requirements of the funding agency under which the employee is working.

<b>Article:</b>	<b>Personnel Records</b>	<b>8-002</b>
<b>Subject:</b>	<b>Access to Personnel Records</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

The personnel file of a College employee is confidential. Access to, or disclosure of, the contents of an employee's personnel record is strictly limited to the following:

- The employee, or the employee's representative, if designated in writing stating the purpose of the disclosure;
- The Board of Regents, Tribal Liaison or College President;
- The Business Office Manager

- Program Directors and Deans.

<b>Article:</b>	<b>Personnel Records</b>	<b>8-003</b>
<b>Subject:</b>	<b>Duration of Personnel Records Maintenance</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
Approved by:	Board of Regents	
Effective Date:	December 1, 1997	

The personnel records of each College employee shall be maintained and kept current for the duration of the employee's employment. All records shall be retained for five (5) years after the employee discontinues employment with the College.

<b>Article:</b>	<b>Disciplinary Action</b>	<b>9-001</b>
<b>Subject:</b>	<b>Grounds for Disciplinary Action</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Revision Date:	December 19, 2002	

The college recognizes that employees want to work and take a responsible view towards the organization. The college is strongly committed to due process. LCOOCC recognizes that employees desire to work for objectives for which they are committed. It is the responsibility of each individual employee to maintain positive working relationship with all others in college.

It is expected that College employees will work in a competent and conscientious manner, which will reflect favorably upon themselves, their department, and the College.

Instances may occur, however, when an employee has exhibited questionable behavior and corrective action is necessary. Factors, such as the following may justify corrective action:

- fraud in securing appointment;
- incompetence;
- inefficiency;
- neglect of duty;
- insubordination or willful misconduct;
- false representation in conjunction with job performance.
- intoxication during working hours;
- conviction of a felony or misdemeanor either in performance of job duties, or in private affairs where the offense is of significant and/or serious nature;
- negligence or willful damage to tribal and/or College property;
- discourteous treatment of the public or fellow employees;
- loss of drivers license if required for your job;
- violation of any lawful order, directive, or College policy;
- job performance, which results in serious harm to the employee's program;
- unexcused absence for more than one (1) working day;
- three (3) unexcused absences within a twelve month period;
- unexcused tardiness occurring for than two (2) days in any one pay period;
- Unauthorized disclosure of confidential information; including the family Educational Rights and Privacy Act (FERPA).
- refusal to terminate activities, which constitute a conflict of interest;
- theft of College property or property of another employee;
- falsification of timecards;

<b>Article:</b>	<b>Disciplinary Action</b>	<b>9-002</b>
<b>Subject:</b>	<b>Types of Disciplinary Actions</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

Unacceptable work performance may result in any of the following actions:

- The supervisor shall make a recommendation to the president with whom the final decision rests.
- **Verbal Notification:** Initiated by the immediate supervisor for the purpose of correcting unacceptable work performance.
  - The supervisor will inform the employee of the unacceptable behavior and suggest improvements.
  - The supervisor must keep a written record of the conversation to be placed into the employees personnel file.
  - The supervisor shall then inform the employee that failure to take corrective action will result in further disciplinary action.
- **Written Notification:** If an employee does not respond to preliminary talks, has already received verbal notification, or has committed a sufficiently serious offense, a written notification is given.
  - This document shall contain a statement of offense, the date of its occurrence, and the signature of both the employee and supervisor.
  - One copy of the notice should be given to the employee, one copy retained by the supervisor, and one placed in the personnel records.
- **Suspension:** The employee's supervisor shall then recommend suspension to the president, who has the authority to suspend an employee.
  - The president may impose a suspension with pay or a suspension without pay on severity of circumstances.
  - The suspended employee is forbidden to be present on the LCOOCC campus or outreach sites for the duration of the suspension.
- **Termination.** Continuation of unacceptable performance may result in termination with cause.
  - In the event that either party desires to terminate this contract, written notice must be given to the other party not less than thirty (30) days prior to desired termination date.
- **Resignation.** Each employee retains the right to submit a letter of resignation at any time during disciplinary action.

<b>Article:</b>	<b>Disciplinary Action</b>	<b>9-003</b>
<b>Subject:</b>	<b>Sequence of Corrective Actions</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

In all cases where discipline of an employee is sought, Administrators should present acceptable evidence showing:

- Persistent nature of difficulties. Except under unusual circumstances, the unsatisfactory conduct on the part of the employee person has been persistent and sustained.
- Repeated warnings. The employee has been informed repeatedly of the unsatisfactory nature of work or conduct.
- Frequent assistance. Real efforts have been made to help the employee overcome the noted difficulties but the efforts have been unsuccessful.
- Dates and times. Records of unsatisfactory performance and notes on visits and on advisory conferences should be made to include dates, the actual clock minutes involved.
- Original drafts. Written evidence presented at dismissal hearings must be the original drafts made at the time of, or immediately following, the observation or conference.

The statement must also clearly state:

- the reason for the corrective action;
- the corrective action to be imposed;
- the effective dates of the corrective action;
- Informing the employee of his/her right to appeal in writing per College Grievance Procedure (10-001, below).

The original copy of the written notice to corrective action must be served personally to the employee, or mailed to the employee by certified mail with return receipt requested. A copy of the written notice must be filed simultaneously with the President.

<b>Article:</b>	<b>Disciplinary Action</b>	<b>9-004</b>
<b>Subject:</b>	<b>Authority to Implement Discipline</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Effective Date:	December 1, 1997	
Revision Date:	December 19, 2002	

The supervisor has the authority to implement discipline.

Employees contacting the Board of Regents and disregarding the chain of command will be subject to corrective action.

Final authority to terminate employment shall rest solely with the President.

<b>Article:</b>	<b>Disciplinary Action</b>	<b>9-005</b>
<b>Subject:</b>	<b>Expunction of Disciplinary Action</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
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<b>Article:</b>	<b>Complaints, Grievances, and Appeals</b>	<b>10-001</b>
<b>Subject:</b>	<b>Complaints, Grievances, and Appeals Procedure</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Revision Date:	April 17, 2008	

## **POLICY STATEMENT**

Difficulties should be resolved on an informal basis between an employee and the employee's supervisor. Therefore, college employees are encouraged to work out informal resolutions in a professional manner through discussion between themselves before initiating any formal complaint/grievance.

Should the difficulty be of such a nature that the employee is not comfortable communicating with the supervisor; the employee may consult with a higher authority in the direct chain of command of the supervisor. In these discussions another College employee of the Complainant's choice may accompany the employee.

Employees who have been unsuccessful with the informal approach may use the following formal procedure.

### **INTENT**

The intent of the College's complaint/appeal procedure is to provide all employees a means by which problems arising within their work can be addressed and resolved. The procedure tries to balance individual rights, such as non-excessive requirements, speedy adjudication, and equal and fair treatment, with protections for everyone involved and due process of law. Under no circumstances will the College employee be retaliated against in any way for invoking these procedures in good faith to seek the resolution of a dispute. The parties and any Grievance or Appeals Committee and the President shall attempt to comply with the timelines set forth in these policies. However, failure to comply with any timeline, except for the initial filing of a Complaint by Complainant, shall not invalidate that procedure.

### **DEFINITIONS**

	<b>What is it?</b>	<b>What to do.</b>
<b>Complaint</b>	any work-related problem not constituting a Grievance	Shall use Steps One & Two only
<b>Grievance</b>	A specific complaint arising out of the interpretation, application, administration or alleged violation of the College's written policies and procedures.	May proceed through all three steps.

<b>Complainant</b>	The person initiating the complaint or grievance. Probationary employees are entitled to use these procedures, but their rights as employees may have been limited in their contracts or by other policies or procedures of the College.	Must submit written statement of alleged violation and remedy sought.(Refer to Section 9-001 Disciplinary Action and 2-007 Probationary Period)
<b>Respondent</b>	The person(s) named in writing as the person(s) responsible for the alleged violation.	Must provide justifications of their actions
<b>Director of Human Resources</b>	The employee designated to be responsible for maintenance of the College's personnel records.	Involved in every step of the process except if Director of Human Resources is a complainant or respondent, then a designee is appointed by the President.
<b>Assistant</b>	The Administrative Assistant to the President of the College	Provides secretarial support for a Grievance Hearing.
<b>Working Days</b>	Weekdays excluding holidays as defined herein.	If any participant of the process is not physically available within the time frames a written request for an extension by that participant should be made.
<b>Appeal</b>	A formal procedure whereby an employee may contest a personnel action taken against the employee (grievance).	The procedure is intended to safeguard an employee's interest and employment and to protect an employee against arbitrary acts by a supervisor.

<b>Appeals Committee</b>	Will consist of five eligible (full-time College employees with no conflicts of interest) Committee members by randomly selecting names from a hat at the beginning of the academic year. No abstentions will be allowed on any vote. If there is a conflict of interest on a particular grievance, a replacement Appeals Committee member(s) without a conflict of interest shall be selected by randomly drawing an additional eligible name(s) from a hat.	Membership in the Appeals Committee pool will be limited to current full-time employees who have worked for the College for at least one year. The Human Resource Director or designee shall chair the appeals committee and shall be non-voting.
<b>Recuse</b>	A need to remove oneself from the decision-making body due to a conflict of interest.	When there is a conflict of interest an alternate will be selected from the Appeals Committee pool.
<b>Resolution</b>	A decision that satisfies both parties at any point in the process.	The complaint or grievance action concludes.
<b>Advocate</b>	A full-time college employee who accompanies the complainant and/or respondent throughout the process.	Advocate(s) shall be identified at the onset of the process. The advocate(s) shall be released from their job to attend all proceedings.

**STEP ONE - INITIATING A FORMAL COMPLAINT OR GRIEVANCE – Concerns or Issue raised by complainant. A complaint only goes through step 1 & 2. A grievance can go through step 3.**

- A. A complaint or grievance must be clearly stated in writing at the beginning of the formal process. The Complainant shall file a written complaint within 10 working days of the incident to their immediate supervisor and a copy to the Director of Human Resources. If the immediate supervisor is the Respondent then the written complaint shall go to the next level of supervision. The written complaint must identify:
- 1) The facts giving rise to the complaint or grievance, including the person or persons alleged to be responsible for the problem, (the Respondent);

- 2) In the case of a grievance, the written College policy or procedure alleged to have been violated;
  - 3) Remedy sought.
- B. Parties to the grievance shall have the right to present evidence and see all other evidence in the case.
  - C. Both parties have the right to call and question witnesses but only in the presence of all parties. Witnesses shall not be present in the hearing room except for when they are testifying. A complainant may gather more supporting or clarifying evidence during the time frame of the inquiry. Each party is responsible for producing its own evidence and witnesses and for related costs. The Director of Human Resources or supervisor will arrange release time for College employees who serve as witnesses.
  - D. The supervisor named in Step A, the Complainant and Respondent shall meet with the Director of Human Resources. The Director of Human Resources will create a confidential file for this complaint or grievance. All further action documents shall be placed in this file. The Complainant and Respondent may be accompanied by another employee of his/her choice as an advocate to discuss the problem. The supervisor shall also meet with and discuss the issues in private with any other parties directly involved.
  - E. The supervisor named in Step A shall provide to the Complainant, Respondent, and Director of Human Resources a report of satisfactory resolution or lack of resolution no later than 5 working days after presentation of the written complaint. The Director of Human Resources will date stamp, distribute the document upon receipt, log the report. If the Complainant or the Respondent is dissatisfied with the decision, the process can continue to Step 2 within 5 working days after receipt of the supervisor's report.
  - F. The nature of the above statement cannot be changed or amended after initiation. If another issue arises, or was not thought of initially, it shall be handled by a separate complaint or grievance.
  - G. The employee has the right to withdraw the complaint or grievance at any point in the complaint or grievance procedure. This request shall be submitted in writing and date stamped to all parties involved.
  - H. Any formal complaint or grievance not timely filed by Complainant shall be deemed to be either settled and binding or abandoned and therefore not eligible for any further action. The time limits, however, may be extended by mutual agreement in writing.
  - I. The burden of proof is on the Complainant to prove that the complaint or grievance is valid. In cases regarding discipline, suspension or discharge, the burden of proof will rest with the College.
  - J. The Respondent and complainant have the absolute right to confidentiality in this entire procedure.

- K. Both the Complainant and the Respondent have a right to be accompanied by an advocate of their choice. Advocates must be full time employees of LCOOCC.

**STEP TWO – Unresolved complaint or grievance shall be forwarded to the College President by the dissatisfied party for his/her review within 5 working days after Step 1 is completed.**

- A. The President shall make the decision within 5 working days.
- B. The Presidential decision regarding the complaint is final.
- C. The Presidential decision regarding the grievance can be appealed via step 3.
- D. In the event of a complaint or grievance involving the College President a panel consisting of four people from the College employee list and the Board of Regents Chair, if there is a conflict of interest, a Board of Regent member will be chosen randomly (using the process defined under Appeals Committee) shall meet to decide whether to proceed to Step Three.

<b>STEP THREE - APPEAL OF GRIEVANCE DECISION</b>
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- A. If the complainant or respondent is dissatisfied with the decision of the President, then the Appeals Committee will begin the appeal within 5 working days.
- B. The Director of Human Resources will then arrange a closed session meeting of the Appeals Committee to decide whether or not there has been a violation or incorrect interpretation, application or administration of written College policy or other violation of the Complainant's legal rights. This meeting shall occur within 5 working days of the receipt of the written request. The Appeals Committee shall review and attempt to make a decision concerning the appeal within 10 working days.
- C. In the event of an issue NOT involving the President, the 5 selected Appeals Committee will meet.
- D. In the event of an issue involving the President, the Appeals Committee will meet and the members are: the Chair of the Board of Regents and 4 people randomly selected from the annual 5 selected College employee list. If there is a conflict of interest preventing the Chair from serving, a Board of Regents member will be chosen using the process defined under Appeals Committee.
- E. The Appeals Committee Chair shall have reasonable access to a College designated attorney. Committee members shall direct legal questions through the Chair.
- F. The Appeals Committee shall issue a written decision within 1 working day of the meeting, on whether
  - (1) The case deserves consideration of a formal Grievance Hearing or
  - (2) The case is not entitled to a formal Grievance Hearing because there is no valid basis for a claim of violation or incorrect interpretation, application or administration of written College policy or other violation of the Complainant's legal rights.

Certified receipt of notice regarding the Appeal Committee decision will be distributed to all parties and a date-stamped written report to the Director of Human Resources, Complainant, Respondent, and College President explaining its decision shall remain in the master file.

If the Appeals Committee decides to proceed with the case then a Grievance Hearing will be undertaken. The actual Grievance Hearing shall start within 5 working days after notification has been given to all parties. The Complainant and the Respondent and the College may present witnesses and documentary evidence at the Grievance Hearing and the parties shall be entitled to cross-examine the witnesses of the other party. The Appeals Committee will hear the grievance and make a decision. The Appeals Committee shall keep a record of the documents and other evidence presented at the hearing but is not required to make a tape recording, transcript or other verbatim record of the hearing, although it may choose to do so. Copies of the decision shall be given to the Director of Human Resources, Complainant, the Respondent, and the President. Copies will be filed in the personnel files for each party.

The Appeals Committee is not authorized to alter or amend any written College policy, make any decision inconsistent with written College policy, or adjudicate any matter not specifically indicated in the original grievance. The Appeals Committee may make recommendations to the College President for future changes to College policy; however the proposed changes shall not affect the heard case.

#### **G. OUTCOMES**

1. The Appeals Committee shall supply a written report of its decision to the President of the College within 5 working days of the hearing. It shall include:

- i. The membership of the Appeals Committee;
- ii. The basis of the grievance, a summary of the positions of the Complainant and Respondent, and the policy(s) cited;
- iii. The findings and conclusions of the Appeals Committee.

2. All 5 Appeals Committee members shall sign the Appeals Committee report. An Appeals Committee member who disagrees with the decision may indicate his/her disagreement in writing on the report.

3. The Appeals Committee report shall be delivered to the President and filed in the Complainant's and Respondent's personnel file.

4. The President shall review the Appeals Committee's report and submit his/her findings, decisions and action for resolution to the Complainant and Respondent within 5 working days of receipt of the report. The Director of Human Resources shall file copies into a secure master grievance folder.

H. The Appeals Committee shall retain the documents and other electronic records of the proceedings which shall be placed into the master grievance folder upon the conclusion of the proceeding.

- I. If either party disagrees with the Appeals Committee's decision, including a decision under Step 3 (F) (2) that there is no right to a Grievance Hearing, the final recourse would be the Tribal Court.

<b>Article:</b>	<b>Grievances and Appeals</b>	<b>10-002</b>
<b>Subject:</b>	<b>Employee Grievance Procedure</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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<b>Article:</b>	<b>Grievances and Appeals</b>	<b>10-003</b>
<b>Subject:</b>	<b>Recourse in Case of Dismissal</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Revision Date:	December 19, 2002, this section to be deleted	

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-001</b>
<b>Subject:</b>	<b>Sexual Harassment</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Effective Date:	December 1, 1997	

In accordance with guidelines issued by the Equal Employment Opportunity Commission on discrimination because of sex, sexual harassment of employees is a prohibited personal practice and the College strongly disapproves of such conduct.

The Fair Employment and Housing Commission regulations define sexual harassment as unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature. This definition includes many forms of offensive behavior, including the following:

- Unwanted sexual advances.
  - Offering employment benefits in exchange for sexual favors.
  - Making or threatening reprisals after a negative response to sexual advances.
  - Visual conduct: leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters.
  - Verbal conduct: making or using derogatory comments, epithets, slurs and jokes.
  - Verbal sexual advances or propositions.
  - Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations.
  - Physical conduct: touching, assault, impeding or blocking movements.
- If an employee believes that he or she is being subjected to sexual harassment, the employee should personally and immediately notify the President.

#### Corrective Measures

An investigation will be undertaken and appropriate sanctions and corrective measures will be instituted if the employee's allegations warrant such action. Persons who commit acts of intimidation and harassment will be admonished to discontinue such conduct and will be disciplined according to the severity of the case. Appropriate discipline may include actions up to and including termination of employment.

Employees are assured that this procedure has been established for their benefit and to allow them the freedom of expressing their feelings and/or complaints. No employees need fear that he or she will be penalized for registering a harassment complaint. The College is dedicated to removing all forms of sexual harassment and is committed to a prompt and impartial investigation and resolution of any complaints.

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-002</b>
<b>Subject:</b>	<b>College Property</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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College Property belongs to the College as a whole and not to any site to which it has been assigned. College employees shall be held accountable for any damage or loss resulting from negligence to property assigned to them. Employees shall not lend such property or permit the same to pass out of their control without adequate inventory control and assignment of responsibility.

Proper care and maintenance must be given College property utilized by yourself in fulfilling the responsibilities of your job. Willful abuse or neglect of College property will result in disciplinary actions that shall include restitution for damages, and may be collected from any funds held by the College for the employee.

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-003</b>
<b>Subject:</b>	<b>Obligations</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Unless otherwise herein provided, no debt or obligation whatever shall be incurred in the name of the Board of Regents, except in accordance with general or special apportionment authorized by the Board and entered in the record of its proceedings; or by the authority of an individual acting under Board instructions; or by the direction of the President when the Board is not in session.

- The president shall be the only authorized agent to enter into contracts on behalf of the college.
- Expenditures in excess of ten thousand dollars (\$10,000) require approval by the Board of Regents.
- Purchases shall be requisitioned through and approved by appropriate administrator.
- Purchases over five hundred dollars (\$500.00) shall be reviewed for approval or disapproval by the President.
- There shall be no sale of College property by any employee without specific approval of the President.
- No real property shall be bought or sold without approval of the Board of Regents.

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-004(a)</b>
<b>Subject:</b>	<b>Use of Computing &amp; Telecommunication Resources</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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## INTRODUCTION

The College's computing and telecommunicating networks, computing equipment and computing resources are owned by the University and are provided primarily to support the academic and administrative functions of the University. The use of this equipment and technologies is governed by federal and state law, and other College policies and procedures. Private use is limited and should be for emergency purposes only.

## REGULATORY LIMITATIONS

The College may monitor access to the equipment and networking structures and systems for the following purposes:

- To insure the security and operating performance of its systems and networks.
- To review employee performance.
- To enforce College policies.

The College reserves the right to limit access when federal or state laws or College policies are violated or where College contractual obligations or College operations may be impeded.

The College shall authorize confidential passwords or other secure entry identification; however, employees have no expectation of privacy in the material sent or received by them over the College computing systems or networks. While general content review will not be undertaken, monitoring of this material may occur for the reasons specified above.

The College generally does not monitor or restrict material residing on College computers housed within a private domicile or on non-College computers, whether or not such computers are attached or able to connect to campus networks.

All material prepared and utilized for work purposes and posted to or sent over College computing and other telecommunicating equipment, systems or networks must be accurate and must correctly identify the creator and receiver of such.

Any creation of a personal home page or a personal collection of electronic material that is accessible to others must include a disclaimer that reads as follows:

The material located at this site is not endorsed, sponsored or provided by or on behalf of the LCO Ojibwa Community College.

## PERMISSIBLE USE

Employees are expected to follow this policy and any related College rules, regulations and procedures for College work produced on computing equipment, systems and networks. Employees may access these technologies for personal uses if the following restrictions are followed:

The use is lawful under federal or state law.

The use is not prohibited by Board of Regents, College or institutional policies.

The use does not overload the College computing equipment or systems, or otherwise harm or negatively impact the system's performance.

The use does not result in commercial gain or private profit (other than allowable under College intellectual property policies).

The use does not violate federal or state laws or College policies on copyright and trademark.

The use does not state or imply College sponsorship or endorsement.

The use does not violate state or federal laws or College policies against race or sex discrimination, including sexual harassment.

The use does not involve unauthorized passwords or identifying data that attempts to circumvent system security or in any way attempts to gain unauthorized access.

## VIOLATION OF POLICY

Any violation of this policy is "misconduct".

Sanctions for violation of this policy may include one or more of the following: a revocation of access privileges; a written warning or written reprimand; demotion; suspension without pay; dismissal; or prosecution for criminal violations.

## APPLICATION OF PUBLIC RECORDS LAW

All information created or received for work purposes and contained in College computing equipment files, servers or electronic mail (e-mail) depositories are public records and are available to the public unless an exception to the Public Records Law applies. This information may be purged or destroyed only in accordance with generally accepted practices.

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-004(b)</b>
<b>Subject:</b>	<b>Email Retention</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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Effective Date:	December 19, 2002	

Electronic mail or "E-Mail" is simply a method of communicating information and does not constitute a public record in and of itself. However, the information transmitted through the use of E-Mail may become a public record if it is information made or received in the transaction of public business. If information transmitted by E-Mail meets the definition of "public record," then it may not be deleted or otherwise disposed of except in accordance with accepted procedures. The content of the E-Mail message determines the retention requirement.

The individual to whom the message is addressed becomes the legal "custodian" once the message is received and is the person responsible for ensuring compliance. Although most agencies also periodically back up information residing on system hard drives, this is not done for archival purposes, but as a safety measure in case of system failure or unlawful tampering ("hacking"). The system administrator is not the legal custodian of messages that may be included in such back up files.

E-Mail messages generally fall into two categories.

- First, some E-Mail is of limited or transitory value. For example, a message seeking dates for a proposed meeting has little or no value after the meeting date has been set. Retention of such messages in the computer system serves no purpose and takes up space. Such messages may be deleted as soon as they no longer serve an administrative purpose.
- Second, E-Mail is sometimes used to transmit records having lasting value. For example, E-Mail about interpretations of an agency's policies or regulations may be the only record of that subject matter. Such records should not be maintained in E-Mail format, but should be transferred to another medium and appropriately filed, thus permitting E-Mail records to be purged at regular intervals.

While the methods for reviewing, storing or deleting E-mail vary, compliance with the retention requirements may be accomplished by doing one of the following:

- Print the E-Mail and store the hard copy in the relevant subject matter file as would be done with any other hard-copy communication. Printing the E-Mail permits maintenance of all the information on a particular subject matter in one central location, enhancing its historical and archival value.
- Electronically store the E-Mail in a file, a disk, or a server, so that it may be maintained and stored on electronic media along with paper records of the same nature.

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-005</b>
<b>Subject:</b>	<b>Patents</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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The Board encourages employees to seek patents on discoveries and inventions as a method of bringing recognition and remuneration to the individual and to the College.

Patent-worthy discoveries by employees that result from the performance of College duties or from the use of College properties or facilities, except where such use is minimal, shall be offered to the Board in writing prior to making a patent application.

If the Board accepts the offer within six months it shall pursue the patent application with the help of the inventor at no cost to the latter.

- Royalties and other proceeds accruing from any successful patent shall be divided according to a mutually agreed upon formulas, but in no case shall the inventor's share be less than 15 percent of the net revenues.
- In the event that a third party assists the Board and the inventor in pursuing a patent of a discovery or invention, the conditions and financial arrangements shall be specified by contract signed by all parties to the arrangement.

If the Board rejects the offer, the inventor is free to pursue the patent application at his/her own expense.

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-006</b>
<b>Subject:</b>	<b>Freedom of Speech</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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College employees are entitled to exercise their right to speak and act as citizens of the United States and of the State of Wisconsin as well as members of their tribe, if applicable.

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-007</b>
<b>Subject:</b>	<b>Public Relations</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
Replaces:	None	
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To provide constituents and others with adequate information relative to the College's progress and development, the Office of the President is recognized as the clearinghouse for all news releases.

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-008</b>
<b>Subject:</b>	<b>Safety and Accident Prevention</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
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Employees have a personal responsibility to keep themselves, their co-workers, and their equipment free from accidents. Doing the job safely is as much a part of job performance as technical knowledge, ability or skill.

Employees shall report any unsafe practices and conditions to their supervisor at once. Delay may result in serious injury.

Employees injured on the job shall report the injury to their immediate supervisor immediately. The supervisor shall promptly secure necessary medical aid for the injured employee, and then contact the College Business Office who will then file an accident report with the insurance carrier giving full and complete details.

Suggestions from all employees regarding safety are welcomed and encouraged.

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-009</b>
<b>Subject:</b>	<b>Copyrights and Royalties</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
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No employee shall have any financial interest in or receive any compensation from the sale of educational materials used by students at the College, except for royalties when the employee holds a copyright or has assigned the rights to a recognized publishing house, and others produce the materials.

The College shall claim no right of ownership of such copyright or such royalties.

It shall be the policy of the College to encourage publication of educational materials, if there is no exploitation of College students resulting there from.

<b>Article:</b>	<b>Institutional Policies</b>	<b>11-010</b>
<b>Subject:</b>	<b>Dress Code</b>	<b>Page 1 of 1</b>
Issued by:	Board of Regents	
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The image of the College is presented by the employees who communicate with an individual, whether student, colleague, or guest. Employees are to uphold standards with the public and co-workers in a courteous, tactful, and cooperative manner.

The College does not have a formal dress code. However, each employee is to dress in a professional manner appropriate for his/her job duties. Attire should be neat and personal hygiene should be maintained.

Each supervisor shall ensure that all employees observe acceptable dress standards.

## APPENDIX A – Definitions

**Abandonment of Position:** When an employee is on unauthorized leave for three consecutive working days.

**Ability:** The present capacity to perform a function, physical or mental.

**Absence Without Leave:** Unauthorized absence without pay, which may be subject to disciplinary action.

**Anniversary Date:** The calendar date of each year of uninterrupted service from the date of hire.

**Annual Leave:** Earned leave with pay which has been approved by a proper authority.

**Appeal:** A formal procedure whereby an employee may contest a personnel action taken against the employee. The procedure is intended to safeguard an employee's interest and employment and to protect an employee against arbitrary acts by a supervisor.

**Bona Fide Occupational Qualification:** Experience, knowledge or skills required to perform a specific job function.

**Classifications:** One or more positions with duties and responsibilities sufficiently alike to warrant common treatment in all personnel processes, selection, examination, training, compensation, transfer, and sufficiently different from positions in other classes to justify different treatment in one or more of these processes.

**Compensation Schedule:** A schedule of pay grades and steps with corresponding monetary wages, which cover all classified positions in LCOOCC employment.

**Controlled Substance:** A controlled substance as listed in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812)

**Conviction:** A finding of guilt (including plea of *nolo contendere* or Alford plea) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal, state or Tribal statutes.

**Demotion:** The movement of an employee in grade from a position in a higher classification to a position in lower position.

**Disability:** A physical or mental impairment that substantially limits one or more of the major life activities of an individual.

**Disciplinary Action:** An action taken against an offending employee, such as: verbal warning, written reprimand, suspension, demotion or dismissal.

**Effective Date:** Any official personnel action such as beginning of payroll, status or salary changes, separations, leave, etc.

**Emergency Appointment:** An appointment made in an emergency for a period not to exceed ninety (90) days without recourse to the formal evaluation and certification provisions of these policies.

**Employee Handbook:** The official document that outlines the policies and procedures for the personnel system.

**Exempt Employees:** Employees who are exempt from minimum wage, overtime and timecard provisions of the Fair Labor Standards Act. These employees do not receive overtime pay.

**Indian Preference:** Shall be considered for each qualified Indian applicant who properly requests Indian Preference by designation on the authorized application form. The applicant must include his/her Tribal affiliation and membership roll number.

**Job Description:** A written description of a position, showing the kind and level of work performed indicating the qualification of employees to fill a position.

**Misuse of Funds:** Use of or conversion by an employee of College funds or assets of any kind without specific appropriate authorization in advance, regardless of purpose or reason.

**Misuse of Property:** Property entrusted in an employee's care that is lost or damaged as a result of negligence or abuse.

**Non-Exempt Employees:** Employees who are not exempt from minimum wage, overtime, and time card provisions of the Fair Labor Standards Act. These hourly employees receive pay at time and one half of the established rate for hours worked in excess of forty (40) in a single work week.

**Pay or Salary Range:** The minimum, intermediate and maximum rates of pay established for a class in the classification and pay plans.

**Probation:** A specified time period during which the employee's work is evaluated to determine suitability for regular employment.

**Program Director/Department Director:** An employee who has responsibility for the supervision, management and cost efficient administration of a department and its assigned employees within the College.

**Reallocation or Reclassification:** The assignment of a position to a class different, from one to which it was previously assigned, based on a job analysis or study of duties, knowledge, skills and abilities.

**Reduction-In-Force (RIF):** Separation of an employee from his/her position, required by the College because of abolition of the position due to program reorganization, lack of work and/or funds.

**Regular Employee:** An employee who has been hired to a position in the classified service in accordance with this manual and after successful completion of a probationary period is of regular status.

**Resolution:** A formal determination, or consensus of the Board of Regents.

**Supervisor:** An individual with the authority to assign, direct and review the work of one or more subordinates.

**Suspension:** An involuntary absence with or without pay imposed on an employee for disciplinary action or December 19, 2002 final outcome of an investigation or appeal.

**Temporary Employee:** An employee who has received an appointment for a specifically limited period of time not to exceed (90) days on a full-time or part-time basis, and whose appointment may be terminated at any time.

**Appendix B – Current Salary Schedule**

## Appendix C - Organizational Chart

