



**Clovis
Community
College**

Professional



Employee Handbook



PROFESSIONAL EMPLOYEE HANDBOOK

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**Clovis
Community
College**

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I. EMPLOYMENT DEFINITIONS, POLICIES, AND PRACTICES

THE PROFESSIONAL EMPLOYEE HANDBOOK

All statements contained in the Professional Employee Handbook represent general policies, procedures, and practices; and do not constitute contractual commitments on the part of the College, nor do they grant a right to any employee to be continued as an employee at Clovis Community College. Statements contained in the Professional Employee Handbook are not intended to limit the right of Clovis Community College to discharge its employees.

Amendments to these personnel policies, procedures, and practices are subject to change at the College's discretion in order to maintain its legal compliance, operational effectiveness, and the mission of the institution. Upon amendment of any part of this handbook, the College will use normal communication channels to apprise employees in a timely fashion of such changes and their anticipated effect.

Amendments may be enacted by the Board of Trustees or proposed by President's Council, professional committees, and individual professional employees. Proposed amendments by professional employees or professional committees must be approved by majority vote of professional employees. Proposed amendments by professional employees or professional committees must be presented to professional employees a minimum of ten working days prior to the vote. Proposed amendments shall be presented to President's Council at their regularly scheduled meeting for comments. The President will present recommendations of proposed amendments to the Board of Trustees. Amendments will include an effective date, which will be approved by the Board of Trustees.

Clovis Community College shall retain the right, in accordance with applicable Federal and State laws and Board of Trustees policies, to determine the mission of the College and its constituent sub-divisions; to set standards, to exercise control and discretion over the College organization and its operations; to maintain the efficiency of the operations entrusted to the administration; and to take whatever actions may be necessary to carry out the functions and mission of the College.

The most recently approved version of the handbook will supersede all previous handbooks or unwritten policies. It is the employee's responsibility to become familiar with the contents of this handbook and abide by the policies and procedures herein.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

Clovis Community College is committed to equitable treatment of all employees and applicants for employment without regard to race, age, religion, color, national origin, ancestry, sex, sexual orientation, spousal affiliation, gender identity, veteran's status, physical or mental disability or serious medical condition. Equal employment opportunity principles are intended to assure that everyone will be equally considered for all aspects of employment including but not limited to:

- Hiring and firing
- Compensation and classification
- Transfer, promotion, discipline, demotion, and layoff
- Fringe benefits, leave plans, and retirements plans
- Training
- Use of college facilities

The Equal Employment Opportunity Policy is a set of procedures to ensure every good faith effort has been made to obtain a diverse workforce dedicated to the mission of the College. Obtaining and maintaining a qualified representative work force in all levels of employment that includes minorities, women, older workers, disabled persons, Vietnam-era veterans, and disabled veterans is the specific purpose of the policy.

Procedures promulgated are intended to provide input for monitoring all stages of recruitment and hiring processes. These procedures will further allow the Office of Civil Rights and the Office of Federal Contract Compliance to judge the effect of this policy. Failure to comply with the established Equal Employment Opportunity procedures by any department may result in the reopening of a position by the Human Resource Services Office.

All Clovis Community College administrators, directors, division chairs, and supervisors are responsible for ensuring that all personnel in areas under his/her supervision understand the intent and the provisions of the Equal Employment Opportunity Policy. Every Clovis Community College employee is responsible for furthering the principle of equal employment opportunity in their everyday interactions.

Clovis Community College determines what constitutes qualifications for any particular position. All job descriptions and/or specifications will be monitored for consistency and for inappropriate language that is detrimental to the hiring of minorities. Selection and placement of employees into various levels of management are open to all without restriction. The College's contractors, vendors, and suppliers are responsible for compliance with the Equal Employment Opportunity (EEO) Policy.

The Director of Human Resource Services is responsible for implementing the program, directing the program, and working toward the elimination of any policy which has the effect of discriminating against the employment of minorities.

AMERICANS WITH DISABILITIES

Clovis Community College shall not discriminate against any qualified individual with a disability with regard to any term, condition, or privilege of employment in accordance with the Americans with Disabilities Act of 1990 and the ADA Amendments Act (ADAAA) of 2008. A qualified individual with a disability is an individual, who meets the skill, experience, education, and other job-related requirements of the position held or desired; and who, with or without reasonable accommodation, can perform the essential functions of that position.

Clovis Community College determines what constitutes qualifications for any particular position. All job descriptions and/or specifications focus on the purpose of the job and the importance of the essential job functions in achieving this purpose. Focus will be on results or outcome of the function and not solely on the way it is customarily performed.

An individual with a disability is a person who has:

- A physical or mental impairment that substantially limits one or more major life activities
- A record of such an impairment
- Is regarded as having such impairment

Alcoholism and drug addiction are included as disabilities. However, the individual will be held to the same qualification, performance, and behavioral standards to which all employees are held. Alcoholism or drug addiction that interferes with job performance, such as excessive absenteeism or disruption in the workplace, can lead to termination.

The Director of Human Resource Services shall serve as the Americans with Disabilities Act (ADA) Coordinator for all requirements associated with personnel/human resources. In the event an employee has a disability and requires special accommodations, the employee should contact the Executive Director for Business and Government Relations.

EMPLOYEE CLASSIFICATION

EMPLOYEE DESIGNATION

Professional employees operate with little or no direct supervision. Primary duty includes the exercise of discretion and independent judgement with respect to matters of significance. Work tends to be away from administrative direction, is performed at policy level, and involves delegation of responsibilities. The primary duty must be performing non-manual work directly related to the management or general business operations requiring advanced knowledge, defined as work that is predominately intellectual in character. Learned professional exemption requires work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction. Creative professional exemption requires work requiring invention, imagination originality or talent in a recognized field of artistic or creative endeavor. A professional position tends to be more "gray"; there is not definable scheduling. A professional position is one of responsibility. Professional positions are not compensated by timecard; work is measured by job performance. Examples are positions such as directors, managers, system analysts and counselors. There are two types of professional employees: regular and temporary. The individual may work either full-time or part-time in any category. The term, "Professional Staff", refers to personnel holding positions classified as "exempt" under the Fair Labor Standards Act (FLSA), as amended. Exempt (professional staff) employees are not entitled to overtime/compensatory time under the specific provisions of the federal and state laws.

REGULAR EMPLOYEES

Regular Full-Time: An employee hired for an indefinite time, in a classified position scheduled to work 40 hours per week over a minimum period of twelve (12) months per year.

Regular Part-Time: An employee hired for an indefinite time, in a classified position scheduled to work less than 40 hours per week over a minimum of twelve (12) months per year.

MULTIPLE POSITIONS

An employee working two (2) regular part-time positions totaling 40 hours per week will be considered a regular full-time employee. If the total hours normally worked are less than 40, the employee will be considered regular part-time.

An employee working regular part-time and temporary part-time will be considered a regular part-time employee.

TEMPORARY EMPLOYEE DEFINITIONS

Temporary positions are those created and filled to satisfy a particular short term need and are of limited duration. It is not the intent that temporary positions be used to fill regular vacancies. All temporary appointments are contingent upon funding. Temporary appointments are at the will of Clovis Community College. Temporary employees may be terminated at any time without notice or cause.

Temporary Part-Time: An employee hired for a workweek of 38 or less hours for a limited period of time with a designated ending date. Normally, the limited period of time does not exceed a semester. Exceptions must be approved by the Vice President for Administration, and the Director of Human Resource Services.

Extension of time for a temporary position must be approved by the Vice President for Administration, and the Director of Human Resource Services.

CHANGE FROM TEMPORARY TO REGULAR

When a position is changed from temporary to regular, the position is considered a new position and shall be treated consistently with the policies governing new positions or vacancies. The incumbent of the temporary position may be considered, along with other applicants, for the new regular position. If the incumbent is selected, benefits will become effective on the date the incumbent assumes duties as a regular employee.

LIMITATIONS:

Temporary Employees do not:

- Accrue vacation time
- Accrue medical leave
- Receive pay for holidays not worked
- Receive group insurance privileges
- Receive flexible cafeteria plan privileges
- Receive pay for early closure of the campus due to inclement weather, etc.
- Receive free use of HPE facilities

Temporary employees are at will and may be released from employment at any time without cause or prior notice and do not have recourse to the grievance process.

EMPLOYMENT POLICIES AND PRACTICES

As an Equal Opportunity Employer, Clovis Community College encourages divergent applicants. Clovis Community College pledges not to discriminate with respect to race, age, religion, color, national origin, ancestry, sex, sexual orientation, spousal affiliation, gender identity, veteran's status, physical or mental disability or serious medical condition. It is Clovis Community College's policy to employ, retain, promote, demote, terminate, and otherwise treat any and all employees and job applicants on the basis of merit, qualifications and competence. In establishing this policy, Clovis Community College recognizes the need to initiate and maintain personnel measures to ensure the achievement of equal employment opportunities in all aspects of the work-place settings, conditions, and decisions. It shall be the responsibility of all employees to abide by and carry out Clovis Community College's equal employment opportunity commitment.

NEW POSITION OR JOB VACANCY

Any newly created position or job vacancy is subject to the provisions of the Equal Employment Opportunity policies and procedures. Reclassification or upgrading of an existing position is not considered a new position or vacancy.

POSTING OF NEW POSITIONS OR JOB VACANCIES

Any newly created positions or job vacancy is subject to the provisions of the Equal Employment Opportunity policies and procedures. New positions and vacancies must be classified and assigned to a salary grade by the Human Resource Services Office before posting. New positions and vacancies must be posted unless they will be filled by promotion, demotion, or transfer; in which case they are exempt from posting. A Vice

President may reassign a position if it is in the best interest of the college. The President may transfer an employee currently reporting to one Vice President to a position that reports to another Vice President. New positions and vacancies that are not filled by promotion, demotion, or transfer must be advertised adequately to create a pool of diverse and qualified applicants. In the event the selection committee feels the pool is inadequate, the search may be extended or suspended.

REHIRE POLICY

If an employee is terminated for cause, released under the probationary period, or resigned after disciplinary actions; the employee will not be eligible for future employment with Clovis Community College in any capacity.

RECRUITING APPLICANTS

The Human Resource Services Office accepts applications and recruits applicants for vacancies. Regular employees may apply for any posted position by contacting the Human Resource Services Office. An application must be received in the Human Resource Services Office by the closing date in order to be considered for employment.

EMPLOYMENT INTERVIEWS

Before applicants are interviewed for professional positions, the selection committee must meet with the Human Resource Services Office to review hiring procedures. Regular full-time employees who are selected for an interview will be granted time off with pay to attend job interviews scheduled during work hours for any campus positions. Employees should notify their supervisor(s) in advance of such interviews so that appropriate arrangements can be made.

TESTING

Only standardized employment tests will be given by the College and all testing (including keyboarding tests and work keys) will be administered by the Testing Center or its authorized designee. Certain positions are contingent upon a psychological evaluation.

OFFERS OF EMPLOYMENT/THE HIRING PROCESS

Hiring committees do not have the authority to make any binding oral promises, assurances, or representations regarding employment status or security. No offers of employment will be made until the close of the selection process. Recommendations of the selection committee are forwarded to the Human Resource Services Office. The selection committee must provide the Human Resource Services Office with the name of the selected candidate, along with ethnic category and gender of the candidates selected for interview. This information is for reporting purposes and applicant pool data only. Offers of employment will be authorized by the Human Resource Services Office after all necessary approvals have been obtained and only to applicants who have been processed through the Human Resource Services Office in accordance with the provisions of this manual. Unsuccessful applicants who are interviewed shall be notified within a reasonable time after an offer of employment is accepted.

POLICY FOR RECOGNIZING EXPERIENCE WHEN HIRING

Clovis Community College may recognize relevant prior experience when hiring for professional staff positions. Up to 3 years experience may be awarded.

When evaluating the relevancy of the applicant's experience, the hiring department considers the following:

- The experience is in the same profession as the position applied for
- The experience is in higher education. Or, if the experience is not in higher

- education, the experience is in a setting considered comparable
- The experience is in a position of similar scope and nature as the position sought by the applicant
- An employee meeting the minimum qualification of a position will typically be offered a salary at the minimum of the pay range. The incremental years of experience for above minimum salary calculations begin once the employee has exceeded or met the top end of the experience range required as stated on the job description. For example, if the position requires one-to-three years of experience, the salary calculation begins after the three years are met
- Salaries should be commensurate with those paid to incumbents in the same job title

Once the hiring department decides to award experience, the appropriate Vice President is petitioned for permission to recognize the experience. In the event the Vice President agrees with the recommendation, he or she petitions the President for final approval prior to offering the position to the applicant.

PROBATIONARY PERIOD OF EMPLOYMENT

All professional employees hired into a regular position are hired on a probationary basis for the first twelve (12) calendar months. Professional employees serving a probationary period will be evaluated at the end of four (4), eight (8), and twelve (12) months period. Appraisals will be discussed with the employee. An employee may be terminated during the probationary period without cause or recourse. Promotion or transfer requests during an employee's probationary period require approval by the President. In the event of promotion, demotion, or transfer, employees will be required to serve an additional probationary period as shown below.

- Promotion 4 month probationary period
- Transfer 4 month probationary period
- Demotion 12-month probationary period

For promotions and transfers, the employee's supervisor has the right to extend the probationary period by an additional four (4) months should time be necessary to properly assess the employee's performance. If the employee received an overall rating of Needs Improvement, an extension of the probationary period will be required. A reclassification of a current position to a higher grade will not require an additional probationary period.

Probationary employees on extended medical leave will have their probationary period extended by the amount of time they were on medical leave and/or emergency leave.

Once an employee has fulfilled the probationary period requirement, the supervisor will complete the Retention of Probationary Employee form and forward to the HR Office.

LATERAL TRANSFER

Lateral transfer is the movement of an employee to another position in the same pay grade as the employee's previous position. Lateral transfers are without an increase in salary.

RECLASSIFICATIONS

A position may be re-evaluated if the primary duties have either increased or decreased substantially in scope and complexity. Acquiring more of the same type of work will not qualify as justification for a position re-evaluation. If it is determined a position description no longer accurately reflects the duties and responsibilities of the position, a new position description will be placed in the employee's file.

A reclassification pay increase will only take place upon approval of the Vice President of the employee's department, the Vice President for Administration and the Executive Director of Business & Government Relations. All salary adjustments are effective as of the date of the next payroll cycle.

TRAVEL AND MOVING EXPENSES

The College does not reimburse moving expenses to candidates accepting a professional position. Travel expenses may be reimbursed for interview candidates. All necessary documentation must be provided. In the event a candidate is offered the position and declines, travel expenses will not be reimbursed.

AGE LIMITATIONS

Applicable federal and state laws are observed. The College does not usually employ professional employees under 18 years of age. Any exceptions must be approved by the Executive Director for Business & Government Relations. Applicable federal and state laws are observed.

EMPLOYMENT OF RELATIVES

It is the policy of Clovis Community College that relatives will not be employed in the same department. Relatives are defined as members of a person's immediate family and include parents, step-parents, grandparents, spouse, mother-in-law, father-in-law, son-in-law, daughter-in-law, children, step-children, grandchildren, and siblings. The employment of relatives in the same work area of an organization can cause serious conflicts and perceived problems of favoritism. No supervisor may employ a relative or an immediate family member of any of his/her employees without the advance approval of the President. In the event there is a change in the family relationship or rank, which would violate the above policies, the President shall have the discretion to approve or disapprove the appointment or transfer.

CHANGE OF EMPLOYEE STATUS PROCEDURE

The Human Resource Services Office should be notified of any change in the status of an employee. Additionally, benefit providers may need to be contacted. These changes may include name, address, marital status (to comply with COBRA requirements), etc. The following changes require the employee's signature for authorization. The employee will be responsible for contacting the Human Resource Services Office with such changes:

- Beneficiary
- Tax Withholding
- Group Medical Benefits and Life Coverages
- Personal Deductions (United Way, tax-deferred plans, accounts receivable, etc.)
- Bank Deposits

IDENTIFICATION CARDS

A Clovis Community College ID Card is a permanent identification card and must be presented at selected campus locations as required by individual departmental procedures. ID cards will be issued to full-time employees. Identification cards must be returned to the Human Resource Services Office upon termination.

PARKING STICKERS

Parking stickers are available at the Information Desk. Parking stickers aid college personnel in providing better service to employees. In the event of car problems, such as lights left on, flat tires, and accidents, the CCC security staff can match the car to its owner and provide assistance.

II. EMPLOYEE LEAVES OF ABSENCE

WORK SCHEDULES

ATTENDANCE AND TARDINESS

Consistent attendance and punctuality are considered critical performance initiatives in Clovis Community College operations, and therefore, an integral part of each employee's performance standards based on objective measurements. Poor, uncertain, or irregular attendance produces disruptive interference with the College mission. When it is necessary for an employee to be absent, it is the employee's responsibility to notify the supervisor at the earliest opportunity and indicate the probable duration of the absence. Supervisors are responsible for providing accurate leave information to Human Resource Services in a timely manner. Excessive absenteeism and tardiness, which renders an employee insufficiently available for work, will be evaluated on a case-by-case basis to determine the merits of retention or termination.

TYPES OF LEAVE

Clovis Community College recognizes the following types of leave: vacation leave; medical leave; employee emergency leave; family medical leave; leave with pay; leave without pay; and military leave.

Full-time professional employees accrue vacation and medical leave at the rate of 16 hours per month for an annual total of 192 hours. Regular employees working less than 40 hours per week will have vacation and medical accrual rates prorated.

VACATION LEAVE

GENERAL POLICY

The College recognizes the value of paid vacations to the health and welfare of its employees. Vacations provide the employee an opportunity to relax for an extended period and return to the job with renewed interest and vitality. The College, therefore, encourages its employees to take a vacation each year.

ACCRUED VACATION

Regular employees are eligible for accrued vacation time. Vacation is accrued during each pay period worked and during paid medical leave, vacation time, holidays, and leaves of absence with pay. Accrued leave is awarded prior to the use of any leave taken during a pay period. Vacation is not accrued during unpaid leaves of absence. An employee who has announced an intention to terminate may not take vacation, which would have the effect of extending the termination date beyond the last day actually worked. New employees' vacation accruals start at the date of hire. New employees may not use vacation time during the first three (3) months of employment. New employees who do not complete, for any reason, three months of consecutive employment will not be paid for any accrued vacation. Leave taken, which exceeds accruals, will be charged to Leave Without Pay (LWOP) and must have prior approval in writing if in excess of forty (40) hours. Vacation accruals may not be transferred to another employee. Vacation accruals cannot be converted to cash except when terminating employment.

MAXIMUM ACCRUED VACATION HOURS

Maximum accrual of vacation time at the end of any pay period may not exceed 352 hours.

SCHEDULING VACATION

While vacations are normally scheduled in accordance with the employee's wishes, continuity of campus operations must be maintained. Consequently, the College reserves the right to schedule an employee's vacation in accordance with the needs of the College. Vacations are normally taken in full-day units, but may be taken in one-fourth (.25) hour increments. An employee who has exhausted medical leave benefits may use accrued vacation leave.

APPROVALS FOR VACATIONS

Vacation must be taken with the approval of the employee's immediate supervisor. Exceptions to normal vacation policies must be approved by the Vice President for Administration and the President.

PAYMENT FOR VACATION CREDITS

Upon termination, employees will be paid for unused vacation credits (not to exceed 352 hours) based on employee's straight time rate of pay. New Mexico Educational Retirement Board limits the payment of accrued vacation for retirement benefits to a maximum of 240 hours. When a vacation period includes a paid holiday, that day will not be charged against vacation.

SPECIAL GRANTS/CONTRACTS

Employees engaged through special grant/contract money are offered continued employment contingent upon the continuation of the federal or state program. Employees on special grant/contract money who are terminating their employment must either: (1) take their accrued vacation during the contract period in which they are terminating their employment, or (2) terminate in sufficient time prior to the end of the contract period or fiscal year so that payment of unused vacation credits will not exceed the total monies provided in the contract.

TRANSFER PROVISIONS

Employees will retain unused vacation when transferring from one department to another. Employees moving from a professional classification to a support classification will have their vacation balance reduced to 240 hours. If the employee has accumulated hours above 240 hours, those hours will be paid at the professional rate on the last check received as a professional.

LEAVE WITHOUT PAY STIPULATION

LWOP will be granted only after accrued leave is exhausted. Vacation and medical leave will not accrue during LWOP.

REHIRE PROVISIONS

Any former employee who is rehired will be considered a new hire for vacation policy purposes.

MEDICAL LEAVE

GENERAL POLICY

Clovis Community College recognizes that employees may become ill or injured and time off with pay must be provided to protect employees during those periods. Employees who are ill, injured, or pregnant, will, for purposes of medical leave, be treated equally based on their ability or inability to work. A waiting period will not be required for new employees before medical leave may be utilized.

USE OF MEDICAL LEAVE

Medical leave may be used for:

- An illness, injury, or pregnancy of the employee or of an immediate family member. If the pregnancy is of an immediate family member, the employee may take a maximum of one week of medical leave. A physician's statement may be required for an extended leave of absence due to illness, serious injury or complications from pregnancy of an immediate family member. Immediate family refers to parents, step-parents, grandparents, spouse, mother-in-law, father-in-law, son-in-law, daughter-in-law, children, step-children, grandchildren, and siblings.
- Quarantine of employee's household.
- Partial days while recovering from an illness or injury.
- Medical, eye, or dental examinations of the employee or of an immediate family member.
- A death in the employee's immediate family up to a maximum of five (5) working days. Immediate family means parents, step-parents, grandparents, spouse, mother-in-law, father-in-law, son-in-law, daughter-in-law, children, step-children, grandchildren, and siblings.

ACCRUING MEDICAL LEAVE

Regular employees are eligible to accrue medical leave. Temporary employees do not accrue medical leave. Medical leave is accrued during each pay period worked, during paid medical leave, emergency leave, vacation time, holidays, and leave with pay. Accrued medical leave is awarded prior to the use of any leave taken during a pay period. Medical leave is not accrued during leave without pay.

MAXIMUM ACCRUED MEDICAL LEAVE HOURS

Maximum accrual of medical leave at the end of any pay period may not exceed 1040 hours.

PAYMENT FOR MEDICAL ABSENCE

Payment is made at the employee's current straight-time rate of pay for the time lost within the employee's regularly scheduled work period. Medical leave accruals may not be converted to cash or transferred to another employee except as specified under Employee Emergency Leave.

MEDICAL LEAVE PRACTICES

Notification: Any illness, injury, or pregnancy necessitating an absence must be reported as soon as possible to the employee's immediate supervisor along with an estimation of duration.

Physician's Statement: At the supervisor's discretion, a physician's statement may be required for an absence due to illness, injury, or pregnancy. Employees returning to work after an infectious illness or medical procedure are required to provide a doctor's release stating the date they are able to return to work. The physician's statement should certify that the employee was under the doctor's care during the period of absence and was unable to work. The College does not wish to obtain a diagnosis. The College reserves the right to require a physician's statement verifying an employee is physically able to return to work. If an employee becomes ill while on vacation, the employee may present a physician's statement verifying the period of illness and charge the period of illness to medical leave rather than vacation.

Light Duty: When an employee requests light duty due to a medical condition, CCC will provide the employee with a copy of their current position description. The employee will be required to have their physician indicate what the employee can do in regards to their

position description. Granting light duty is discretionary and shall be approved only when available work exists within the employee's limitations. If the employee is unable to perform any of their essential functions, the employee will be required to utilize their medical leave.

Time Charges: Time charged to a medical leave may not exceed the employee's accruals. An employee may elect to charge medical absence to vacation accruals. A medical absence will automatically be charged to accrued vacation after medical leave is exhausted. When medical leave and vacation leave are exhausted, the employee may elect to request leave without pay. The employee must request leave without pay in writing. Medical leave is normally taken in full-day units, but may be taken in one-fourth hour increments. When a holiday falls during a time an employee is on medical leave, the holiday will not be charged against medical leave.

PROBATIONARY PERIOD

Probationary employees on extended medical leave will have their probationary period extended by the amount of time they were on medical leave and/or emergency leave.

TRANSFER PROVISIONS

Employees will retain unused medical leave when transferring from one classification to another.

MEDICAL LEAVE CREDITS

Upon termination, employees will not be paid for unused medical leave credits.

REHIRE PROVISIONS

All former employees who are rehired will be considered new hires for purposes of computing accrual rate of medical leave.

EMPLOYEE EMERGENCY LEAVE

A Clovis Community College employee with a medical leave balance above 200 hours may donate medical leave to employees who have had a non-work-related catastrophic illness or injury. Emergency leave may be donated to a full-time CCC employee in 10-hour increments, up to a maximum of 40 hours. Once made, donations are irretrievable. Receipt of donations will cease once the maximum benefit of 160 hours per occurrence is reached.

In the event of a catastrophic illness or injury, an employee may request up to 160 hours or four (4) weeks of emergency leave. The catastrophic illness must affect an employee or an immediate family member. Immediate family member for this purpose is defined as spouse, child or step-child. Examples of catastrophic illness or injury include cancer treatment, heart attack, serious injuries from an auto accident and other medical occurrences that cause an intermediate or long term disruption. A physician's statement verifying the catastrophic nature of the illness must be provided to Human Resource Services prior to the request. The employee will also be required to have requested Family Medical Leave. The Employee Emergency Leave and the Family Medical Leave will run concurrently. Clovis Community College will inform all employees via email that a request has been made. CCC will grant emergency leave only to the extent that was donated on the employee's behalf up to a maximum of 160 hours or four weeks. Only one request per catastrophic illness or injury is allowed.

A Worker's Compensation illness or injury is not eligible for use of emergency leave. Incurring unpaid leave during a single pay period does not constitute an emergency. Employees will have to have depleted all vacation/personal, compensatory and medical

leave balances prior to requesting an emergency leave. Probationary employees on Employee Emergency Leave will have their probationary period extended by the amount of time they were on medical leave and emergency leave. An employee will only be allowed to utilize the Employee Emergency Leave request a maximum of four (4) times during their employment at CCC.

FAMILY AND MEDICAL LEAVE ACT OF 1993

GENERAL POLICY

The purpose of the Family and Medical Leave Act of 1993 (FMLA) is to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to preserve the national interests in preserving family integrity. The FMLA is a leave without pay benefit plan.

BASIC REGULATIONS AND CONDITIONS OF FAMILY AND MEDICAL LEAVE

- Eligible employees may take up to twelve (12) weeks of family and medical leave in a fiscal year.
- The College may require medical certification to support a leave claim for an employee's own serious health condition or to care for a seriously ill child, spouse, or parent. For the employee's own medical leave, the certification must include a statement that the employee is unable to perform the essential functions of the position. For leave to care for a seriously ill child, spouse or parent, the certification must include an estimate of the amount of time the employee is needed to provide care. The College supervisors, at their discretion, may require a second medical opinion and periodic recertification at the expense of the institution. If the first and second opinions differ, there may be the requirement for the opinion of a third health care provider, approved jointly by the College and the employee.
- Leave may be taken on an intermittent or reduced leave schedule if medically necessary for an employee's illness or the employee's need to provide care for a spouse, child, or parent.
- Leave to care for the employee's child after birth or receipt of an adopted infant or infant placed in employee's home for foster care must be taken consecutively within the first twelve (12) months following childbirth or placement. Spouses (husband and wife) who are both employed by Clovis Community College are entitled to a total of twelve weeks of leave rather than twelve weeks each for the birth or adoption of a child or the care of a sick parent.
- Exhaustion of paid leave, vacation, medical, emergency leave, to the extent the employee qualifies, has to be used first and may be concurrent with FMLA.

DEFINITION

A serious health condition is defined as inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider who is authorized to practice by that State for a serious health condition.

A spouse is defined as a husband or wife as defined or recognized under State law for purpose of marriage, including common-law marriage in States where it is recognized.

ELIGIBILITY

The following employees are eligible for leave under the FMLA:

- Regular employees who have been employed at Clovis Community College at least one year and for 1,250 hours prior to the leave

NOTIFICATION AND MEDICAL CERTIFICATION

The employee will give the supervisor as much notice as possible of the upcoming leave in order to limit the disruption of College operations. The leave will be denied if requirements are not met. The employee will be required to provide medical certification from the attending physician to support a request for leave because of a serious health condition, and a fitness for duty report to return to work. If the request is to care for a seriously ill child, spouse, or parent, the certification will include a statement that the employee is needed to care for the family member, the expected length of time needed, and the condition which prevents the employee from working.

BENEFITS

Clovis Community College will continue to contribute the employer portion of the health premiums during the family leave. The employee must pay their portion of health, dental and long-term disability premiums on a timely basis in order to continue coverage and both the employee and employer's share of other coverages.

If an employee elects not to return to work upon completion of an approved unpaid leave of absence, the College may recover from the employee the cost of any payments made to maintain the employee's coverage, unless the failure to return to work was for reasons beyond the employee's control. Benefit entitlements based upon length of service will be calculated as of the last paid workday prior to the start of the unpaid leave of absence.

The regulations of the New Mexico Educational Retirement Board prohibit the payment of retirement contributions if the employee does not receive a salary. Contributions must be discontinued during the period of leave without pay.

PROCEDURES

A request for Family and Medical Leave may be originated by the employee. The request should be in writing, signed by the employee and the immediate supervisor, and approved by the Executive Director for Business & Government Relations and Director of Human Resource Services. If possible, the request should be submitted thirty (30) days in advance of the effective date of the leave. Medical emergencies may determine that requests cannot meet the desired calendar. Employees must apply for Family Medical Leave prior to requesting Employee Emergency leave. The Employee Emergency Leave and the Family Medical Leave will run concurrently.

All requests for family and medical leave due to illness will include sufficient medical certification stating:

- The date on which the serious health condition commenced
- The probable duration of the condition
- The appropriate medical facts within the knowledge of the health care provider regarding the condition
- The amount of time needed.

For the purpose of leave for an employee's illness, the certification must state that the employee is unable to perform the essential functions of the position. In the case of certification for intermittent leave or leave on a reduced leave schedule for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment must be stated.

NATIONAL DEFENSE AUTHORIZATION ACT

The National Defense Authorization Act includes provisions to the Family Medical Leave Act. These provisions create leave entitlements for employees who have a family member injured in service or called to active duty.

Active Duty Family Leave

Employees who have a spouse, parent, or child that is on or has been called to active duty in the Armed Forces may take up to 12 weeks of FMLA leave when they experience a "qualifying exigency."

Injured Servicemember Leave

Employees who have a spouse, parent, child, or next of kin of a servicemember who incurred a serious injury or illness on active duty in the Armed Forces, including the National Guard or Reserves, may take up to 26 weeks of leave in a 12-month period (including regular FMLA leave). Employees may take injured servicemember leave intermittently, but must use it up within 12 months.

LEAVE WITH PAY

ELIGIBILITY

Regular employees, full-time and half-time, are eligible for leave with pay. Temporary and less than half time employees are not eligible for Leave with Pay. Temporary employees may be granted leave without pay.

PRACTICES

Normally, the employee arranges in advance with the supervisor to be absent. If this is not possible, the employee notifies the supervisor of the reason for the absence as early in the working day as possible. An employee must receive the supervisor's permission before leaving the workplace during working hours unless unusual circumstances preclude requesting such permission.

TYPES OF LEAVE WITH PAY***Closed Campus***

Leave with pay will be authorized when the College is declared closed by the President (i.e., cases of inclement weather, national emergency, etc.). On days when the campus is open but the weather is harsh (i.e. snow) casual dress is appropriate. If classes are cancelled because of inclement weather, the entire campus will be closed. Only designated emergency personnel are asked to report to campus. Emergency personnel include the President's Council and designated staff from the following departments:

- Grounds
- Physical Plant
- Security

If the College is not declared closed and an employee chooses to be absent, the absence will be charged to vacation leave. If an employee was on vacation or medical leave when the campus was closed, the time will not be charged to vacation or medical leave. It is the employee's responsibility to work with the supervisor in the event a charge against accruals has occurred.

Voting

An employee who is a registered voter will be granted a reasonable period of time off from work to vote in a government election.

Jury Duty and Enforced Court Attendance

An employee summoned for jury duty, or for duty as a witness (other than as plaintiff or defendant) is granted time spent on these types of duty if the employee presents documentary evidence of the summons to the supervisor. The employee should request a waiver of payment from the court. In the event the employee does receive payment for time served, the funds should be remitted to Clovis Community College. Time during the regularly scheduled College work day not actually required for jury duty is to be utilized in performance of the employee's assigned duties.

Reinstatement

An employee on leave with pay is expected to return to the former position, which will be held for the employee. A temporary employee may be hired to replace an employee during a leave with pay.

REQUESTED LEAVE WITHOUT PAY (LWOP)

GENERAL POLICY

The College may grant leave without pay (LWOP) to employees in cases of illness, injury, personal reasons, school attendance to obtain applicable additional course or degree, illness in family, and for other unavoidable circumstances requiring a prolonged absence. LWOP may be granted only after applicable medical, emergency leave, and vacation leave are exhausted.

Group insurance may be continued while the employee is on LWOP, provided the full payment for the insurance is made. Employer contributions will cease after three (3) months of LWOP. Continuance of the insurance while on leave is contingent upon the insurance policy.

The regulations of the New Mexico Educational Retirement Board prohibit the payment of retirement contributions if the employee does not receive a salary. Contributions must be discontinued during the period of LWOP.

Eligibility: Regular employees, full-time or part-time, are eligible.

Length of Leave and Approval Required: Up to twelve (12) months, in combination with FMLA, may be granted upon the recommendation of the Executive Director for Business & Government Relations and the approval of the President. Employees not reinstated on or before the end of the approved leave are terminated as a resignation.

PROCEDURE FOR OBTAINING LWOP

An employee must request LWOP, in writing with supporting documentation, from the supervisor. Requests for leaves must be made at least ten working days in advance except where such notice is impossible or impractical. Employees on LWOP for more than five (5) working days, must complete documentation placing the employee on leave for the authorized period of time and should indicate the reason for the leave.

Documentation is not required in those cases where LWOP is granted or imposed for short periods of time (less than five (5) working days). The employee's timesheet should reflect whether time taken was for vacation, compensatory time, medical leave, or employee

emergency leave. If the employee does not have a sufficient balance for leave taken, LWOP will be imposed.

In those instances where a LWOP is due to an unexcused absence or disciplinary suspension, the absence must also be documented, in addition to the timesheet, by memo to the employee with a copy to the Human Resource Services Office for record purposes.

REINSTATEMENT

A LWOP is not recommended or granted except with expectation of reinstatement, but reinstatement is not guaranteed. Operating conditions or needs may make reinstatement impractical at the time reinstatement is requested. Where practical, the College will attempt to fill the employee's positions with a temporary employee during an extended LWOP, but reserves the right to eliminate the position or fill it with a regular employee.

An employee returning from a LWOP must contact the Human Resource Services Office prior to the expiration of the leave. An employee who fails to request reinstatement prior to the expiration of leave will be terminated as a resignation. Every effort will be made to reinstate an employee to the same or equivalent job and rate held at the time of LWOP. The employee will be required to serve an additional 12-month probationary period for LWOP longer than six (6) months in duration.

If the employee's previous position is no longer available and he/she is not placed in another similar position within a reasonable period, or the employee refuses a position offered to him/her, the College has no further reinstatement obligation. The employee is then terminated as a resignation.

An employee returning from a LWOP for extended illness, including pregnancy or injury, is required to submit a physician's statement certifying the employee is able to return to work. No employee will be permitted to return to work without being cleared for reinstatement by the Human Resource Services Office.

Salary increases and probationary periods will take LWOP of more than thirty (30) days into consideration. Employees will be notified in writing of any changes. Vacation and medical leave credits do not accumulate during LWOP. Unused accumulated medical leave will be held for one year and credited to the employee's account upon reinstatement. An employee reinstated from LWOP within one year will be given credit for prior service in computing accrual rate for vacation, medical leave, and other benefits.

MILITARY LEAVE

GENERAL POLICY

Upon receipt of official military orders, the employee must present orders or other evidence indicating that the employee is entering active military duty. The College grants a Military Leave to regular employees during the time they are on active duty in the Armed Services of the United States. CCC shall not refuse to hire, penalize or discharge from employment any person because of membership in the National Guard or prevent the employee from performing any military service the employee is called upon to perform by proper authority.

SERVICES COVERED

Armed Services of the United States: The United States Army, Navy, Air Force, Marine Corps, and Coast Guard and their respective reserve components, New Mexico National Guard, and their reserve components.

TYPES OF ACTIVE DUTY

Annual Duty for Training: Training with the Reserve or National Guard. Such training is normally for a two week, or 15 day period.

Special Training: Voluntary active duty for a special purpose such as attending an Armed Forces School.

Local Emergency: Active duty for individuals ordered by the President of the United States or the Governor of New Mexico.

National Emergency: Extended active duty for individuals ordered by the President of the United States in a declared emergency.

PAYMENT WHILE ON MILITARY LEAVE OF ABSENCE

When a Military Leave of Absence is granted for annual duty for training or local emergency, the College will pay a military training allowance for time lost up to a maximum of 15 calendar days per calendar year. Such military training allowance is paid at the employee's straight-time rate of pay. When military leave is granted for active duty other than annual duty for training or local emergency, such leave shall be considered LWOP.

REINSTATEMENT

An employee on Military Leave will be reinstated to his/her original position or to a position of like seniority, status and pay provided he/she:

- A. Is released from active duty under honorable conditions
- B. Is still qualified to perform the duties of such position
- C. Makes application for reinstatement
 - within 90 calendar days after release from National Emergency, Obligated or enlisted service or
 - from hospitalization continuing after release for not more than one (1) year, or
 - within six (6) working days after release from annual duty for training, special training, or local emergency service
- D. Accepts the first position offered
- E. Must serve any remaining balance of a probationary period

OCCUPATIONAL DEFERMENTS

The College will not seek occupational deferments for employees.

NATIONAL DEFENSE AUTHORIZATION ACT

The National Defense Authorization Act includes provisions to the Family Medical Leave Act. These provisions create leave entitlements for employees who have a family member injured in service or called to active duty.

Active Duty Family Leave

Employees who have a spouse, parent, or child that is on or has been called to active duty in the Armed Forces may take up to 12 weeks of FMLA leave when they experience a "qualifying exigency."

Injured Servicemember Leave

Employees who have a spouse, parent, child, or next of kin of a servicemember who incurred a serious injury or illness on active duty in the Armed Forces, including the National Guard or Reserves, may take up to 26 weeks of leave in a 12-month period (including regular FMLA leave). Employees may take injured servicemember leave intermittently, but must use it up within 12 months.

HOLIDAYS

DEFINITION

The holiday period is the calendar day observed as an official holiday. For an employee on a shift crossing midnight, it is the 24-hour period beginning with the regular starting time on the calendar day observed as the holiday.

ELIGIBILITY

Only regular employees are eligible. Temporary employees are not eligible.

HOLIDAYS OBSERVED

- Martin Luther King's Birthday
- Spring Break
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Christmas Break

SPECIAL CIRCUMSTANCES REGARDING HOLIDAYS

When a holiday falls on Saturday, an employee who normally works Saturdays observes Saturday. Any other employee observes the preceding workday within the work schedule. When a holiday falls on Sunday, an employee who normally works Sundays observes Sunday. Any other employee observes the following workday within the work schedule. The College reserves the right to adjust the actual observance of all holidays to permit efficient schedules.

EXCEPTIONS

Departments who, because of the nature of their business, regularly are required to work employees on a majority of the scheduled holidays may obtain an exception provided:

Each employee will be given one day off in lieu of each holiday worked by arrangement with the supervisor. Each employee affected will be advised of this excepted holiday policy and that it is part of the conditions of employment.

Employees on leave without pay will not receive holiday pay while on leave. Employees must work, be on vacation leave, on medical leave, or on employee emergency leave during the week in which the holiday occurs to be eligible for holiday pay. An employee who has announced an intent to terminate may not use holidays to extend termination dates.

COMPENSATORY TIME

Under the Fair Labor Standards Act, exempt employees are paid a regular salary and are not paid based on the number of hours worked. Professional employees are hired to get the job done and at times may need to work beyond their usual schedule. Professional employees are given the flexibility to exercise judgment both in how and when the work is done. A greater emphasis is placed on meeting the responsibilities of the position rather than on working a specific number of hours. Professional employees are expected to meet operational needs and are evaluated on results achieved. Therefore, exempt employees do not accrue compensatory time.

However, supervisors may allow a professional employee paid time off when it is recognized that the professional employee has worked a significant amount of time beyond the normal work schedule to perform specific job requirements.

Supervisors of support employees may access the Support Employees Handbook via the Intranet <http://pathway.clovis.edu> for guidelines. Supervisors are responsible for ensuring procedural compliance and adequate documentation exists for compensatory time.

Generally, workloads and work schedules should be arranged so that the organization's duties and responsibilities can be accomplished in a normal forty (40) hour workweek. In cases of emergency or in unique situations overtime may be worked. Overtime must have prior authorization by the Vice President for Administration and the President. If an employee has failed to obtain pre-authorization to work overtime, the employee will be subject to discipline. Such violations may result in an adjusted work schedule for the remaining workweek.

III. EMPLOYEE BENEFITS

EDUCATIONAL ASSISTANCE PROGRAM

PURPOSE

The Educational Assistance Program is provided to encourage employees to take advantage of the educational opportunities available at the College for purposes of personal and professional development.

TUITION WAIVER

The College will waive regular tuition for up to four (4) credit hours each semester or quarter, not to exceed twelve (12) credit hours per fiscal year (July 1 through June 30 of the calendar year). This tuition waiver may be exercised at Clovis Community College or an approved College. The waiver privileges exclude non-accredited institution courses. The tuition waiver may be used for on-line courses. Some lab fees required for classes may be waived at CCC only. Special fees including but not limited to art supplies, welding supplies, and photography fees, must be paid by the enrollee.

If an employee is enrolled at Clovis Community College and another institution simultaneously, the tuition waiver can be applied to Clovis Community College or another institution at the employee's discretion.

ELIGIBILITY

Regular employees who work at least half-time are eligible subject to the restrictions as stated below. Employees who do not use the full tuition waiver may allow their spouse or dependent children to use the balance of the waiver. Tuition waivers will be applied to the employee first and then to the spouse or dependent children. A spouse or dependent children may only use a tuition waiver at Clovis Community College. The Tuition Waiver forms must be completed, approved by the supervisor and presented to the cashier as authorization to waive tuition charges.

A spouse is defined as a husband or wife as defined or recognized under state law for purpose of marriage, including common-law marriage in states where it is recognized.

A dependent child, for purposes of this section, is defined as one claimed as a dependent on the most recent Federal Internal Revenue Service tax forms.

Retired employees shall have the same tuition waiver privilege as regular full-time employees.

Temporary employees are eligible for tuition waiver privileges at Clovis Community College only.

Employees who terminate employment lose the benefit.

RESTRICTIONS

Enrollment in credit and audit courses is subject to availability of space and facilities. In case it is necessary to limit or reduce the size of a class, employees who are receiving a tuition waiver will be the first to be released.

Freshman and sophomore level tuition waivers will be limited to the current tuition rate charged at Clovis Community College unless classes are unavailable at CCC. Junior, senior, or graduate level courses will be funded at the resident tuition level of the nearest state university (ENMU), or that university's resident tuition rate for a long distance learning class offered in the lab at Clovis Community College. If the employee drops a waived class

at another institution for any reason, refunded amounts must be returned to CCC. Refunded amounts that are not returned to the College will be billed to the employee.

The employee must not allow enrollment in classes to adversely affect the employee's performance in his/her regularly assigned duties. The Tuition Waiver includes an agreement that the employee will withdraw if the supervisor feels that course enrollment appears to be adversely affecting employee performance.

WORK SCHEDULE ADJUSTMENTS

Time off may be granted for one course each semester at the discretion of the employee's supervisor allowing the employee to make schedule adjustments. Schedule adjustments must be addressed on the Tuition Waiver form. The course must be beneficial to the employee and the College. Due to pressing workloads or other legitimate operational reasons, it may not be practical to grant time off. In these cases, the needs of the College shall prevail.

EDUCATIONAL ASSISTANCE PROCEDURES

The employee may obtain a Tuition Waiver form online and submit it to his/her supervisor for review and approval. Following the supervisor's approval, the employee presents the tuition waiver to the College cashier with tuition invoices in lieu of payment.

SPECIAL PROGRAMS

A tuition waiver may be granted for a special academic program. A special program is defined as a short course, a mini-term, an interim term, or a course which generally is not offered during the regular semester. The tuition waiver shall not exceed the regular tuition for four (4) credit hours each semester or quarter, not to exceed twelve (12) credit hours per fiscal year. If the special program is offered by an approved university, the waiver shall not exceed the rate of the nearest state university's (ENMU) regular tuition for four (4) credit hours.

PERSONAL COUNSELING

Personal counseling services are provided on a limited basis through the Academic Advising Office. Counseling is restricted to emergency assistance and referral services. No long term counseling is provided.

INSURANCE

The College offers a voluntary group insurance plan that provides for health and life insurance coverage. The College pays a portion for the employee (including employees who are retired or who have been granted disability, as that term is defined in the Educational Retirement Act existing at the time disability is granted) according to the pay schedule below. If an employee does not wish to enroll at the time of eligibility, and later decides to request enrollment, a verification-of-insurability form may be required from the employee's physician, and is subject to possible rejection by the health-care plan carrier. Booklets providing complete information are available online. The current state law allows program participation that includes coverage for health and accident, dental care, life, long-term disability, worker's compensation, and unemployment compensation insurance. The insurance program is subject to change annually and is available for review in the Human Resource Services Office. CCC reserves the right to terminate or amend the group insurance plan at any time or terminate any benefit under the plan at any time.

EMPLOYEE/EMPLOYER SCHEDULE

Employee Earnings	Employee Portion of Premium	Clovis Community College Portion of Premium
Less than \$30,000	20%	80%
\$30,000 – 39,999	30%	70%
\$40,000 or more	40%	60%
Retired Employees	40%	60%

When a CCC employee loses health coverage eligibility, often, the most cost-effective option for maintaining health coverage is special enrollment. If other group health coverage is available, (for example, through a spouse's employer provided plan) special enrollment in that plan should be considered. However, to qualify, enrollment must be requested within 30 days of losing eligibility for CCC coverage. Special enrollment rights also arise in the event of a marriage, birth, adoption, or placement for adoption.

COBRA BENEFITS

As part of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees and/or dependents who lose health coverage as a result of the following circumstances may continue group coverage at their or their dependents' own expense (plus a 2% service charge). Under COBRA, Clovis Community College will make continued medical and dental coverage available to the employee and/or dependents for 18 or 36 months, depending on the following events.

Circumstances In Which An Employee And/Or Dependent Would Otherwise Lose Coverage**Maximum Coverage Period***

Reduced regularly scheduled work hours – 18 months. **

Termination (except for gross misconduct) – 18 months. **

Employees death – 36 months

Divorce or legal separation – 36 months.

Dependent child's eligibility ends – 36 months.

Dependents who lose coverage because the employee is eligible for Medicare – 36 months

If medical coverage was not elected as an active employee, then coverage under COBRA upon termination of employment is not permitted.

*If there are multiple events, the coverage period cannot exceed 36 months.

**If regularly scheduled work hours are reduced or employment is terminated and the employee or dependents are totally disabled according to the Social Security Administration's definition, each may extend coverage for an additional 11 months at 102% of the cost of the additional 11-month period. In order to extend coverage for the additional 11 months, the employee or the covered dependents must notify the Human Resource Services Office of Social Security's determination of total disability within 60 days after such determination is made and before the end of the first 18 months of COBRA continuation.

When the employee or the employee's dependents become eligible for Medicare, COBRA coverage ends.

The employee or employee's family member has the responsibility to inform the Human Resource Services Office of a divorce, legal separation, or a child's losing dependent status under the Clovis Community College medical plan within 60 days after the date of the

applicable event.

The option in which the employee is enrolled at the time of termination or other triggering event (e.g., employee's death, divorce, or legal separation) determines the coverage the employee and dependents will have during the remainder of the calendar year (including family status category).

The employee's spouse and dependent children have the right to elect continuation coverage for themselves if they lose coverage for any of the following qualifying events:

- Clovis Community College employment is terminated or results in a reduction of hours
- Death of employee
- Divorce of employee
- Employee becomes entitled to Medicare benefits
- Employee's dependent child ceases to be an eligible dependent under the plans

In the case of an employee's termination or a reduction of hours, the employee's spouse or dependent children may elect to continue coverage for up to 18 months. For all other qualifying events (above), the employee's spouse or dependent children may elect to continue coverage for up to 36 months.

Moreover, if an employee's hours are reduced or employment is terminated and then an additional qualifying event(s) occurs during the 18-month period of coverage; the continuation of coverage (if elected and in force at the time of the additional qualifying event) may be further continued for a period of up to 36 months, beginning at the date of termination or reduction of hours.

If the employee divorces or if a dependent child ceases to be dependent under the plan, the employee and dependent are responsible for notifying the Human Resource Services Office of the occurrence of such qualifying event within 60 days. Failure to do so will result in the loss of the right to elect continuation of coverage for the employee and their member(s).

The Human Resource Services Office will notify the employee or family member(s) of rights to continued coverage if coverage is lost because of the employee's death, termination of employment, or reduction of hours. Once notice is received by the Human Resource Services Office from the dependent regarding a divorce or a dependent child's ceasing to be a dependent under the plan, the Human Resource Services Office will give notice to the qualified beneficiaries.

Once dependents are notified that the spouse or dependent children have the right to choose continuation of coverage under the plan, the employee will have 60 days from the date of notification to elect the coverage continuation. If coverage continuation is not elected, benefits under the plan will end.

If, on the date COBRA election is made, the employee and dependents are covered by another group health plan (which does not contain a pre-existing condition exclusion or limitation of qualified dependents) or are entitled to Medicare benefits, the employee and dependents are not entitled to continued coverage under COBRA.

TERMINATION OF CONTINUED COVERAGE

Within the 18- or 36-month period, continued coverage will be terminated if:

- The employee and employee's dependents do not make the COBRA payments when due.
- The employee and employee's dependents become covered as employees or otherwise under another group health plan that does not contain any exclusion or

- limitation with respect to any pre-existing condition.
- The employee and employee's dependents become entitled to Medicare benefits.
- The Clovis Community College Health Plan terminates for all employees.

PAYMENT OF PREMIUMS

The employee and dependents are required to pay 102% (including a 2% service charge) of the actual cost of this coverage. CCC will notify the employee or dependents of the amount and timing of the COBRA payments. Failure to pay the COBRA payments on the due date will result in immediate termination of coverage.

Payment of the premium is made in monthly installments. The initial payment must be received by Clovis Community College within 45 days of the date of election. Subsequent monthly payments must be made within 30 days of the due date or coverage will be terminated.

The cost for this continued coverage will be recalculated each Plan Year. CCC plan year is Jan 1st to Dec 31st. If the cost of the coverage changes, the required premium cost for continued coverage will also change.

The coverage that will be provided during the continued coverage period is the same coverage that is provided to an active employee and dependents. The benefits provided will be based on the provisions of the plan at the time the claim is incurred.

PRE-EXISTING MEDICAL CONDITIONS AND THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

HIPAA legislation addresses pre-existing condition exclusions under group health plans. This law was enacted to improve medical insurance availability for individuals who lose coverage as a result of changing their jobs or enrolling in another employer-sponsored health care plan.

HIPAA prohibits employer-sponsored health plans from imposing pre-existing condition limitations that last more than 12 months from the enrollment. HIPAA is intended to enable individuals to easily obtain this coverage for themselves and their dependents when changing jobs or enrolling in another employer-sponsored health care plan.

An employer can limit coverage for a pre-existing condition (one for which medical advice, treatment, care, or diagnosis was recommended or received at any time during the six months immediately preceding enrollment in the new employer's plan) for up to 12 months. This limitation, however, is reduced by the amount of time a new employee or dependent had "creditable" health care coverage under a previous plan.

A Certificate of Health Care Coverage documents "creditable" health care coverage during the previous 18 months. The waiting period for benefits set by an employer counts toward "creditable" health care coverage and is not considered a "break in coverage." If the employee or dependent lost health care coverage because of a termination of employment, or if the employee elected to your health care coverage for the employee or a dependent during enrollment or through a qualified life event change, such as marriage, birth of a child, etc., CCC's health care provider will provide the employee with a Certificate of Health Care Coverage.

If you are changing jobs or changing health care coverage, check with the new employer or health care plan administrator about rules concerning pre-existing conditions. Many health care plans do not limit coverage for pre-existing conditions, in which case the employee does not need to provide a Certificate of Health Care Coverage. If the new health care coverage does limit or exclude coverage of pre-existing conditions, then the employee will need to provide a Certificate of Health Care Coverage that shows the length of coverage

under the Clovis Community College health care plan.

DEATH OF EMPLOYEE

In the event of an employee's or retiree's death, a COBRA notification outlining the dependents option for 36 months of coverage will be mailed to the dependent. CCC may elect to offer twelve (12) months at the split premium. See schedule herein. After one year, the dependent may continue with the health plan at 102% of the premium for a maximum of 24 months.

HEALTH BENEFITS PLAN

Clovis Community College offers to its regular employees the Health Benefit Plan (HBP), a salary or wage reduction plan, whereby premiums for health, and dental insurance are deducted from the employee's paycheck before social security or income taxes are assessed. The HBP became effective July 1, 1991. Section 125 of the Internal Revenue Code governs the HBP. Internal Revenue Service (IRS) regulations require that employees respond indicating their option to participate or not. The decision is locked in for the plan year and may not be revoked or changed during the plan year except for an IRS recognized change (marriage, divorce, birth or death of a dependent). The plan year is defined as the 12-month period beginning January 1 and ending December 31.

Changes from individual to family coverage are allowed only when legal changes occur (marriage, divorce, birth or death of a dependent) or at calendar year-end. If an employee would like to add a dependent who does qualify under the IRS guidelines, a health statement may be required by the health provider. A newborn baby does not require a health statement. Changes in family status must be reported within thirty (30) days of the event to the Human Resource Services Office. Increases or decreases in premiums for health benefits offered under the plan will automatically be covered under the HBP. If the employee does not file a new HBP form at the start of the new plan year, it will be assumed that the employee selected the same option as in the previous plan year. If the employee does not wish to participate in the plan for the new year, the employee must complete the Health Benefit Plan Form indicating non-participation and return to the Human Resource Services Office prior to January 1.

Clovis Community College may amend this plan at any time to ensure the plan remains in compliance with section 125 of the Internal Revenue Code.

FLEXIBLE CAFETERIA PLAN

The Flexible Cafeteria Plan is for Clovis Community College regular employees. It is an employee benefit plan established under Section 125 of the Internal Revenue Code which permits employees to pay for certain eligible expenses with pre-tax dollars. The Flexible Cafeteria Plan was instituted on January 1, 1994. The Plan's records are maintained on a 12-month period known as the plan year. The Plan year is defined as January 1 through December 31.

The Plan is a salary or wage reduction plan. The Plan offers reimbursement for "qualified expenses" as authorized under the Internal Revenue Code. Employees may elect to pay the group medical deductible, out-of-pocket medicine expenses, dental expenses, optometry expenses, the medical costs declined by the medical insurance carrier, travel/mileage to and from your medical provider, and dependent care costs with pre-tax dollars rather than after-tax dollars. The Flexible Cafeteria Plan reduces the taxable income. Legally, claims may only be made once for any expense. Employees must safeguard against claiming a

reimbursed expense again on the employee's income tax return. The employee's elected annual dollar allocation is effective in January (or date of hire) and may not be revoked or changed during the calendar year except for an IRS recognized change (marriage, divorce, birth or death of a dependent). To ensure the contribution amount is adequate, employees will need to estimate expenses for the year. Adequate contributions will ensure maximum usage of a pre-tax benefit; however, any amount remaining in the account at the end of the plan year will automatically be forfeited to meet IRS regulations.

Employees will be required to file a Flexible Cafeteria Plan form before the start of each plan year. This form serves as an agreement between Clovis Community College and the employee stating the amount the employee has elected to contribute towards this benefit. This amount will reduce the amount of compensation subject to federal income taxation. If the employee does not wish to participate in the new plan year, the employee must complete the Flexible Cafeteria Plan form indicating non-participation and return to the Human Resource Services Office prior to January 1.

If a terminating employee is participating in the Flexible Cafeteria Plan, the employee's remaining unpaid elected annual dollar allocation for medical care expenses will be deducted from the employee's final paycheck. The employee may continue to claim allowable medical reimbursement for the remainder of the calendar year and extend the benefit through the end of the plan year. Contributions to dependent care reimbursement will end upon termination of employment. Participants may continue to make claims on contributed funds.

RETIREMENT

Clovis Community College employees are covered by the provisions of the New Mexico Educational Retirement Act.

Participation in the New Mexico Educational Retirement system (NMEMA) is mandatory for all employees who have contributed to the NMEMA in the past, excluding temporary employees who work less than a 25% full-time equivalency and student employees.

Selected positions (directors and above) as determined by NMEMA are given a choice of participating in the NMEMA or to choose one of the alternative carriers: TIAA-CREF or VALIC.

The employee shall complete and return the selection of participation form for the Alternative Retirement Plan (ARP) within ninety (90) days of their employment date. If the employee fails to return the appropriate forms within ninety (90) days, the employee becomes a participant in the NMEMA.

Once the employee has elected a plan, state or alternative, it becomes irrevocable. The election shall be in writing and filed with the college and NMEMA.

Employees at public post-secondary schools who have made contributions to the ARP for at least seven years may elect to switch to the NMEMB retirement plan going forward. To opt out of ARP, you must enroll in the NMEMA plan within 120 days of eligibility. Eligibility is acquired once you have made a total of seven years of contributions to the ARP.

NEW MEXICO EDUCATIONAL RETIREMENT (NMEMA)

Employees contribute a percentage of their total earnings as established by the New Mexico Legislature. Employee contributions are refunded without interest on deposits prior to July 1, 1971, and with interest on deposits after July 1, 1971, to those who leave employment covered under the New Mexico Educational Retirement Act.

Refunds are not automatic. Forms for a refund of employee contributions are available in the Human Resource Services Office. Employee contributions to the NMEIRA are deferred from income tax. When the employee contributions are refunded they will be subject to taxation in the year refunded. Requests for refunds will be forwarded to the New Mexico Educational Retirement Board.

Retirement contributions are calculated on the gross annual salary. These contribution rates are subject to change by the New Mexico Educational Retirement Board. The following increments are anticipated.

Fiscal Year	Employer Contribution Rate	Employee Contribution Rate
2009-2010	10.90%	9.4%
2010-2011	11.65%	9.4%

Employees become vested in the plan after twenty quarters of participation. Employees covered by New Mexico Educational Retirement for at least twenty quarters may complete an Option B form. Option B provides a monthly annuity to a member's designated beneficiary upon death of the member prior to the member's retirement. It is permissible to change beneficiaries until retirement.

ALTERNATIVE RETIREMENT PLAN (ARP)

Retirement contributions are calculated on the employee's annual salary. Employees become vested immediately in the ARP. CCC will contribute a percentage of the gross annual salary to the alternative carriers (TIAA-CREF and VALIC) as required by the Educational Retirement Board. The employee owns this retirement annuity and if the employee leaves the institution, the full amount, which has been invested during the time of employment, will be retained by the employee. The employee has the opportunity to select the investment portfolios offered by each alternative carrier according to the contract the State of New Mexico has with each. The NMEIRA and Clovis Community College recognize these annuity contracts but do not endorse, and are not liable for losses relating to their use. Retirement benefits shall be paid in the form of a lifetime income. Single sum cash payments shall not be permitted except for death benefits.

RETIREE BENEFITS

The following benefits are afforded retirees:

- Use of library and computer labs during operational hours if space allows
- Publications printed by the college
- Retain CCC email address
- All college-sponsored events and facilities are available on the same basis afforded to regular full-time employees. May participate in the CCC Wellness Program
- Retired employees shall have the same tuition waiver privilege as regular full-time employees
- The College shall pay 60% of the college-sponsored insurance premiums for retirees. The retiree must have been enrolled in CCC's health plan prior to retirement. If the retiree is a return-to-work retiree, upon termination of employment the retiree will revert to the health plan they were covered under when the retiree originally retired. Payments must be timely. Retiree may either pay health plan premiums monthly or quarterly. Non-payment could result in cancellation of health plan.

- Term life insurance coverage continues, however, the value is reduced to \$10,000 at the time of retirement

For more information, please visit the NMEIRA web site, www.era.state.nm.us.

DEFERRED COMPENSATION PLANS

CCC is pleased to provide employees the opportunity to participate in tax-deferred plans. These plans offer the employee income tax advantage while saving for retirement. The amount that an employee may elect to have deducted for a tax-deferred plan is contributed to the plan before federal and state income tax, thereby reducing the employee's taxable income. Deductions do remain subject to FICA/MQFE. CCC does not give tax or legal advice. Please contact a tax professional for advice regarding specific situations. CCC has no fiduciary responsibility for the market value of the participant's investment or for the financial stability of the companies chosen by the participants.

457(B) DEFERRED COMPENSATION PLAN

CCC offers a Section 457(b) plan as defined in the Internal Revenue Code. Under Section 457(b), CCC may provide deferred compensation to employees. With the Economic Growth and Tax Relief Reconciliation Act of 2001, employees may maximize contributions to 403(b) plans and 457(b) plans. CCC provides 457(b) plans through TIAA-CREF and VALIC. For more information visit the following web sites:

www.tiaa-cref.org

www.valic.com

403(b) DEFERRED COMPENSATION PLAN

Eligibility

403(b) plans are available to employees who normally work 20 hours or more per week. Section 403(b) is the Internal Revenue Code Section which sets forth the rules for this kind of tax-deferred plan. Retirement investments will be made under a payroll deduction arrangement. These programs offer the employee income tax advantages. Contributions will automatically be invested in insurance contracts, variable annuities, or mutual funds on the employee's behalf. Clovis Community College currently offers three 403(b) providers. Information on the CCC approved providers is available in the Human Resource Services Office. The College acts as a collector of the premiums without endorsing any of the participating companies.

Contributions

Employees may elect to defer a portion of compensation each year taken directly from their paycheck. Total deferrals in any taxable year may not exceed the dollar limit set by the IRS for that calendar year, which applies to all deferrals the employee may make under this plan or other cash or deferred arrangements, including other tax-sheltered 403(b) contracts. Generally, if total deferrals under all of these arrangements for a calendar year exceed the annual dollar limit, the excess must be included in the employee's income for the year. Employees are required to enter into a written salary reduction agreement and should contact the selected CCC 403(b) provider regarding their maximum deferral amount. Employees may change or stop the amount of their tax-deferred contributions at any time.

Transfers and Rollovers

Transfers are available to current employees. Transfers occur when an employee moves 403(b) contributions from one CCC approved vendor to another. Rollovers are available to former employees.

Distribution Eligibility

Distribution eligibility occurs when an employee is no longer employed with Clovis Community College or the employee reaches the age 59 ½.

SOCIAL SECURITY

In addition to retirement benefits under the New Mexico Educational Retirement Act, each eligible employee will receive benefits under the Social Security Act. The following is provided for general information purposes. Specific questions should be addressed to the Social Security Administration Office. The Social Security Administration Office has set up a user friendly method of filing for benefits online at www.socialsecurity.gov.

ELIGIBILITY

When an employee works and pays Social Security taxes, “credits” are earned toward Social Security benefits. The number of credits needed to obtain retirement benefits depends on when the employee was born. Employees born in 1929 or later, will need 40 credits (10 years of work). If an employee stops working before enough credits to qualify for benefits have been accumulated, the credits will remain on the employee’s Social Security record. If an employee returns to work later on, additional credits may be earned in order to qualify. No Social Security retirement benefits can be paid until the required number of credits has been obtained.

EARLY RETIREMENT

Social Security retirement benefits may be obtained as early as age 62, but if an employee retires before full retirement age, benefits will be permanently reduced based on age.

FULL RETIREMENT AGE

The “full retirement age” is 65 for people who were born before 1938. Due to longer life expectancies, the Social Security law was changed to gradually increase the full retirement age until it reaches age 67. The following table outlines full retirement ages:

Age to Receive Full Social Security Benefits	
<i>Year of Birth</i>	<i>Full Retirement Age</i>
1937 or earlier	65
1938	65 and 2 months
1939	65 and 4 months
1940	65 and 6 months
1941	65 and 8 months
1942	65 and 10 months
1943-1954	66
1955	66 and 2 months
1956	66 and 4 months
1957	66 and 6 months
1958	66 and 8 months
1959	66 and 10 months
1960 and later	67
NOTE: People who were born January 1 of any year should refer to the previous year.	

DELAYED RETIREMENT

Employees may choose to keep working beyond full retirement age. By doing so future Social Security benefits can increase in two ways. First, each additional year an employee works adds another year of earnings to the Social Security record. Higher lifetime earnings may mean higher benefits at retirement. Secondly, benefits will increase automatically by a certain percentage from the time full retirement age is reached until an employee starts receiving benefits or until an employee reaches age 70. The percentage varies depending on year of birth. For example, if an employee was born in 1943 or later, Social Security will add 8 percent per year to the employee’s benefit for each year that was delayed by signing up for Social Security beyond full retirement age.

Note: If an employee decides to delay retirement, the employee should still sign up for Medicare at age 65. In some circumstances, medical insurance costs more if an employee delays applying for it. For more information visit the Social Security website www.socialsecurity.gov.

SOCIAL SECURITY RETIREMENT BENEFITS

Benefit payments are based on how much was earned during the employee’s working career. Higher lifetime earnings result in higher benefits. If there were some years when an employee did not work or had low earnings, the benefit amount may be lower than if the

employee had worked steadily. Benefit payment also is affected by the age at which the employee decides to retire. If the earliest possible retirement age for Social Security, age 62, is elected, the benefit will be lower than if the employee waits until later to retire. A Social Security Statement is mailed to the employee by the Social Security Office each year, about three months prior to the employee's birthday. It can be a valuable tool to help plan a secure financial future. It provides a record of earnings and gives estimates of what Social Security benefits would be at different retirement ages. It also gives an estimate of the disability benefits available if an employee becomes severely disabled before retirement, as well as estimates of the survivor's benefits Social Security would provide to a spouse and eligible family members upon the employee's death.

Choosing when to retire is an important but personal decision. Regardless of the age selected to retire, it is a good idea to contact Social Security in advance to see which month is best to claim benefits. It may be advantageous to have Social Security benefits start in January, even if the employee does not plan to retire until later in the year. The rules can be complicated. CCC urges employees to discuss retirement plans with a Social Security claims representative in the year before the year the employee plans to retire.

WORKER'S COMPENSATION

If injured on the job, College employees are protected under the New Mexico Worker's Compensation Laws. Premiums for this coverage are paid by the College. The injured employee will be placed on medical leave until the medical leave balance is depleted, if the injury is serious enough to cause a loss of work time. New Mexico Statutes require that an employee be off work for seven consecutive days prior to the payment of total temporary disability benefits. During this time, medical leave must be used.

LIGHT DUTY

When an employee requests light duty due to a medical condition, CCC will provide the employee with a copy of their current position description. The employee will be required to have their physician indicate what the employee can do in regards to their position description. Granting light duty is discretionary and shall be approved only when available work exists within the employee's limitations. If the employee is unable to perform any of their essential functions, the employee will be required to utilize their medical leave.

BENEFIT CALCULATION

Under New Mexico law, an employee is entitled to receive 66 2/3% of the average weekly wages during the time the employee is unable to work. The average weekly wage is calculated by taking the average of the past 26 weeks. If the employee is off work for more than four weeks, the wages for the "seven-day waiting period" will be added to the benefit.

BENEFIT PAYMENT

Employees may continue to be paid in full by Clovis Community College from accrued medical leave balances. If the employee receives full pay and also payment for loss wages from the worker's compensation insurance, the payment from worker's compensation insurance is to be remitted to Clovis Community College. The funds received will be utilized to buy back the equivalent medical leave. It is unlawful to collect disability benefits, while receiving full salary payment.

In the event the employee does not have any available medical leave balances or elects leave without pay, the employee will be responsible for payment of any insurance or benefit premiums that may apply. The employee should work closely with Human Resource Services during the disability period. Human Resource Services will provide information on salary payment and insurance payment options.

An employee returning to work from a worker's compensation related accident must:

- Submit a medical statement from the attending physician that the employee is physically able to return to full duties
- Report to work within one working day after release from worker's compensation

IV. HEALTH AND SAFETY PRECAUTIONS

UNIVERSAL PRECAUTIONS FOR INFECTIOUS CONTROL PLAN

The Clovis Community College Universal Precautions for Infectious Control Plan implements the requirements of the OSHA Standard 29 CFR 1910.1030. All employees shall adhere to Universal Precautions, an approach to infection control. According to this concept, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other blood borne pathogens.

The Universal Precautions for Infectious Control Plan will be located in the Custodial Services Office, (Room 157), the College library, and the Child Care Center. All employees that are identified as having occupational exposure will participate in a training program. Employees will be trained at the time of initial assignment to tasks where occupational exposure may occur and at least annually thereafter. Additional training may occur when changes such as modification of tasks or procedures may affect employees' occupational exposure.

Hepatitis B vaccinations will be made available to all employees following the required training who have occupational exposure on an average of one or more times per month and post exposure follow-up for all employees with an occupational exposure incident.

PERSONAL PROTECTIVE EQUIPMENT KITS

The Personal Protective Equipment kits are for rendering first aid only and are located in designated areas. A listing of all locations will be maintained at the Information Desk. Clean-up of human blood or certain human bodily fluids will be performed by trained personnel only. Contact Custodial Services at 769-4165.

ACCIDENT/EMERGENCY PROCEDURES

EMERGENCY PROCEDURES

Emergency procedures, to be followed in the event that an emergency should occur at Clovis Community College, are distributed to all faculty and staff. Employees should become familiar with the contents of the plan and have it readily available for quick reference in time of an emergency. The procedures are intended only as a guideline. Common sense and good judgment should prevail at all times. In an emergency situation call 911 after obtaining an outside line for help and assistance. Contact the Information Desk or Security and they will alert the appropriate administrator. The following areas of concern are addressed in the Emergency Procedures located on the college website.

- Leadership and Coordination in an Emergency Situation
- Communications in the Event of a Campus Emergency
- Accident Reports
- Serious Illness or Injury
- Bomb Threat
- Chemical/Biohazard Emergencies
- Fire
- Fire Drill Evacuation Procedures
- Disruptive Persons/Events
- Mobile, Active Threat of Violence
- Flood
- Utility Failure
- Hazardous Weather

- Evacuating Persons With Disabilities
- Tornado
- Emergency Telephone Numbers
- Clovis Community College Emergency Numbers
- Non-Emergency Telephone Numbers
- Telephone System Paging

CLOVIS COMMUNITY COLLEGE EMERGENCY ALERT SYSTEM

The purpose of the Emergency Alert System (EAS) is to notify students, faculty and staff as quickly as possible in the event of a critical incident on campus. Ceiling mounted speakers have been installed in all classrooms for dissemination of emergency announcements. The system will only be used for emergency notifications. Notifications can be sent to an employee's cell phone and two email accounts.

ACCIDENT PROCEDURES

All on-campus accidents and incidents, no matter how minor, must be reported to Security.

- Notice of Accident Forms are available at the Information Desk, from Security, or the Human Resource Services Office. The accident form should be completed by the injured person as soon after the accident as practical. Ideally, the injured person completes the detailed form with Security. College employees who witness an accident, or assist with an injury, should contact Security.
- When a person is injured, the primary concern must be the employee's well being. When medical help is necessary, call 911 immediately. College employees are not authorized to commit the college to any responsibility for an accident.
- Employee accidents that occur on campus during working hours or authorized travel off campus are covered through worker's compensation. Worker's compensation claims must be filed in the Human Resource Services Office.

CAMPUS SECURITY

The Clovis Police Department provides security and law enforcement for the College. Twenty-four hour patrol and dispatch services are provided with access through the emergency telephone number 911.

The College employs campus security personnel who are responsible for the College's security. The security personnel may be contacted through the Information Desk located in the Commons area or by calling 769-2811 or 769-4199. Preventing crime is a shared responsibility between the College and its campus members. Please promptly report crime, suspicious activity, or emergencies which occur on campus.

The College maintains a copy of its Campus Security Policy in the library. The annual report of crime on campus which is defined in the policy is also available in the library.

WORKPLACE VIOLENCE

Clovis Community College will not tolerate violence. Aggressive acts or threats will be cause for dismissal.

Clovis Community College strictly adheres to Section 30-7-2.4, NMSA 1978, which prohibits the carrying of firearms on the college premises, including the buildings and grounds, parking areas, and playing fields in or on which college related activities are conducted. Exceptions to this policy apply only to law enforcement personnel, college security personnel, an academic program, activity, or special event approved by the President, and

any persons older than nineteen years of age on the college premises in a private automobile or other private means of conveyance for lawful protection of the person's or another's person or property. Violation of the State law is a criminal misdemeanor.

Violators of this policy shall be prosecuted and punished under New Mexico law and the employee policies of Clovis Community College.

SMOKE-FREE POLICY

The Clovis Community College Board of Trustees recognizes that the use of smoking tobacco including cigars, cigarettes, and pipes represents a health and safety hazard, which can present serious consequences for the user and those non-users who are exposed to their use in the facilities of Clovis Community College. Due to the grave concern on the part of the Board for the safety and health of students, employees, visitors, and guests of the College and because of personal harm which could result from a smoke contaminated environment, the Board of Trustees has prohibited smoking by all students, employees, visitors, and guests in all buildings and vehicles owned or leased by Clovis Community College and in any other areas around the College designated as non-smoking. Non-smoking areas include all College courtyards, spaces between buildings and campus interior parking lots. The designated smoking areas are the perimeter parking lots only.

V. EMPLOYMENT POLICIES

EMPLOYEE PERSONNEL INFORMATION DISCLOSURE POLICY

GENERAL POLICY

Clovis Community College recognizes that as a public institution, it has an obligation to the citizens of the State and a legal mandate from the legislature of the State to disclose on request the gross salary paid to any employee of the institution. In addition, the College recognizes its obligation to its employees not to disclose personal and private information maintained in personnel files. In order to satisfy both of the above obligations, the College has adopted the following policy:

The following information on each employee shall be available for public disclosure: name, job title, gross salary, dates of employment, degrees held and conferring institutions. All other individually-identifiable employee personnel information is private and will not be generally disclosed except as required by federal or state statutes or regulations. General personnel information which cannot be identified with an individual employee (such as average salaries, salary tables, percent of minority employees, faculty-student ratios, etc.) may be disclosed by appropriate campus officials. (for example, to the news media for a news story, to a college association for a salary survey, to another college or other employers for comparison purposes, etc) Also, information generally available to employees, such as the Professional Employee Handbook, will be on file in the Human Resource Services Office for public inspection. Non-public individual employee information will be released if authorized in writing by the employee. It is CCC's practice, in the absence of written authorization from the employee, to respond to an employment reference inquiry only by verifying the fact and dates of employment, position held and, if requested, salary paid. Any department receiving a direct request for such information should not respond, but should forward the request to the Human Resource Services Office for reply. Written requests by credit companies and retail establishments for salary and employment verifications will be honored by the Human Resource Services Office with the employee's written release.

Clovis Community College adheres to the Family Educational Rights and Privacy Act (FERPA) and the New Mexico Inspection of Public Records Act.

DISCLOSURE PROCEDURE

Most personnel records are considered confidential and the property of the College. Personnel records and files will therefore be available or disclosed only to those persons who are authorized by the College to have access to them on a need-to-know basis, or such other persons authorized by the College under legal rights to review or obtain applicable parts of such records (See Clovis Community College Inspection of Public Records Policy). Salary and other employee personnel information are communicated to individual employees by the Human Resource Services Office. Employees may have access to all information in their own personnel file but may not remove the file or any material in it without the specific approval of the Executive Director for Business & Government Relations. A signature and date will be required when reviewing/copying materials from files. Payroll data, performance appraisals and other normal employment data (including disciplinary actions) initiated by the College, shall not be considered privileged and shall be made available to the employee.

CONFLICT OF INTEREST

GENERAL POLICY

Clovis Community College recognizes that its employees lead complex lives with personal and professional relationships extending beyond the college. Along with the benefits of CCC employment come certain responsibilities. Central among these responsibilities is the shared obligation to ensure that all activities and transactions carried out on behalf of the College are conducted for the benefit of the College and in accordance with its policies.

While specific expectations may vary given the nature of the individual's position or function, the following guidelines set baseline standards for all employees. Recognizing that conflicts may be unintentional, the guidelines anticipate that employees will seek advice when concerns arise. Employees externally funded (i.e. grants) may be subject to additional conflict of interest policies and separate disclosure documents.

Conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the College's business or professional dealings. Conflict of interest also involves situations in which financial or other personal considerations have the appearance of directly and significantly affecting an employee's professional judgment in carrying out College duties and responsibilities. The College's general policy prohibits:

- Employees from accepting any favor or gratuity from any person, firm, or corporation which might affect the employee's judgment in the impartial performance of duties
- Accepting gifts or loans from persons with whom the employee has had official duties within the last two (2) years
- Participating in any official act affecting a business in which the employee has an official interest, or acquiring a financial interest in said business
- Using confidential information acquired from state employment for personal profit
- Certain types of contracts between state agencies and present or former employees or with members of the legislature

In addition, the New Mexico statute requires the disclosure of financial interest in any transaction with a state agency to be filed with the Secretary of State of the State of New Mexico in January of each year during employment, and imposing other rules of conduct in transactions between state employees and state agencies.

Any employee or employee's spouse who has a financial interest in a business must publicly disclose this interest to the Purchasing Agent before Clovis Community College can purchase goods or services from this business. The Purchasing Agent, following procedures outlined in the Procurement Code, will purchase goods or services from the source most advantageous to the College. The public disclosure must be made in writing and will be maintained in the Purchasing Department.

The employment of relatives in the same work area of an organization can cause serious conflicts and perceived problems of favoritism. It is the policy of Clovis Community College that relatives will not be employed in the same department without the advance approval of the President.

CODE OF CONDUCT

GENERAL POLICY

In accepting a position with the College, it shall be understood that an employee will assume an obligation to be acquainted fully with the mission, philosophy, purposes and

objectives of the institution. Employees shall agree without reservation to maintain a high level of performance and carry out effectively all other assigned duties and never give rise to suspicion of improper conduct. Employees represent the College and should dress appropriately for the work environment as determined by the department supervisor. Employees shall maintain a basic respect for all supervisors and co-workers. Inappropriate language directed at fellow employees will not be tolerated. Failure to comply with these policies is cause for disciplinary action up to, and including, discharge.

Pursuant to the New Mexico Statutes, Clovis Community College promulgates the following Code of Conduct for all personnel of the College.

Business Ethics: Employees of the College shall maintain the highest standards of business ethics in transactions with the College, the state, federal and local governments and the public. Employees of the College will not act on College matters on the basis of personal gain nor will they divulge confidential information to unauthorized persons. Employees must refrain from activities that may give the appearance of or the perception that they may be using their positions or knowledge gained from their employment to inappropriately influence decisions to their advantage or to the advantage of family and friends.

Employees have a fiduciary responsibility to ensure budgets under their control are disbursed for only authorized expenses. The use of state property, including telephones and classroom, lab or office equipment, is restricted to official business. It is expected that any personal business conducted over the telephone will be kept to a minimum. Excessive personal phone calls or use of computers, photocopiers, typewriters, etc. for personal reasons may lead to restrictions or disciplinary action. Personal long-distance phone calls and personal copies are to be charged to the employee. Employees receiving a cell phone stipend are responsible for maintaining the cell phone and providing the cell phone number to Clovis Community College as an emergency phone number at which the employee may be contacted at any time necessary for appropriate college business. The stipend is a taxable benefit. Employees sending personal mail through the campus mail system must pay for the postage.

Removing state property from the campus for personal use is expressly forbidden. Any employee wishing to take Clovis Community College property home to work on official business must receive permission from the supervisor to do so. Failure to comply with these policies is cause for disciplinary action up to, and including, discharge.

Clovis Community College places some employees under fidelity bonds. All cases are immediately turned over to the College insurance carrier

Employees and supervisors certify that the time entered for compensation represents a true and accurate record of time. Failure to accurately reflect hours worked, by employees or supervisors, is cause for disciplinary action up to, and including, discharge. Employees are ultimately responsible for any entries made using their ID and PIN.

Fiscal Conduct: CCC employees are expected to maintain the public trust and to preserve and to protect the assets and financial interests of the College by:

- Promoting adherence to federal and state law, administrative rules, and College policies
- Promoting increased awareness of the possibility that various forms of fiscal misconduct may occur
- Establishing responsibility for the prevention, detection, investigation, and resolution of fiscal misconduct

Fiscal misconduct means a deliberate act or failure to act regarding fiscal matters, contrary to established law, rule, or policy, with the intent to obtain an unauthorized benefit which results in loss or other damage to the College. Fiscal misconduct includes, but is not limited to:

- Embezzlement or misappropriation of College funds, goods, property, services, or other resources
- Improper handling or reporting of financial transactions
- Authorizing or receiving compensation for goods not received or services not performed
- Authorizing or receiving compensation for hours not worked
- Forgery or unauthorized alteration of financial documents or records

Suspected fiscal misconduct is a reasonable belief or actual knowledge that fiscal misconduct has occurred or is occurring.

Employees with supervisory duties are responsible for creating an environment that contributes to the deterrence of fiscal misconduct and for maintaining a system of internal controls that assists in the prevention and detection of incidents of misconduct. Supervisors should be familiar with the types of fiscal misconduct that might occur within their area of responsibility and be alert for indications of their occurrence.

If an employee knows or suspects that another individual has engaged in fiscal misconduct, fiduciary responsibility requires the employee to notify their immediate supervisor. If the supervisor is suspected of fiscal misconduct, the employee should notify the Director of Human Resource Services. If fiscal misconduct is reported to a supervisor, division chair, director, dean, vice president, or another responsible person, that individual must immediately notify the Director of Human Resource Services. Failure to report or provide relevant information may constitute fiscal misconduct. The Director of Human Resource Services will respond to the situation and notify other offices as appropriate.

The College's disciplinary actions will be imposed and appropriate action will be pursued if an investigation reveals fiscal misconduct through misappropriation of College funds or resources, or other security breaches in the College, including its financial and operating systems. Fiscal misconduct may lead to employment sanctions up to and including termination, and may subject the individual to civil liability and/or criminal prosecution. All members of the CCC community are responsible for ensuring their own conduct, and the conduct of anyone reporting to them, fully complies with this policy.

Full cooperation by all employees is required during the investigation of fiscal misconduct. The report of alleged misconduct will be maintained in a confidential manner consistent with College policy. The reporting employee will also be protected from retaliation consistent with College policy.

Personal Ethics: CCC employees are expected to conduct their personal business in such a manner as not to reflect adversely on Clovis Community College.

Confidentiality: During the course of employment at CCC, an employee may have access to confidential or other sensitive data. Employees are not to use these documents, data, or other information obtained during employment except for the performance of specific tasks related to assigned duties.

College Vehicle Usage: Vehicles and the vehicle's individually assigned credit card are to be used for business use only. Employees are expected to maintain the highest standards while utilizing vehicles and other movable assets. Misuse of vehicles and other movable assets may result in disciplinary action.

Official use is for authorized employees or authorized passengers. An authorized passenger means a College employee or any person in the furtherance of official College business. Any traffic citation or parking ticket is the responsibility of the employee. The employee shall ensure that College vehicles are locked when left unattended.

Use of a CCC state owned vehicle may be denied and disciplinary action taken under the following conditions:

- If an employee permits an unauthorized person to drive or transports an unauthorized passenger, the College employee may be held personally liable for any personal injury, death, or property damage arising from the unauthorized use of the College vehicle
- If an employee is driving while under the influence of intoxicating liquor or drugs
- If the employee's license has been revoked or suspended for any reason that invalidates the College's insurance coverage
- If an employee fails to obey the driving laws of the State of New Mexico or an applicable jurisdiction.

In the event while operating a state owned vehicle an employee receives an incoming call, it is suggested that the employee pull to the side of road in order to safely receive the call. This practice is suggested regardless of whether or not it is a CCC provided or personal cell phone. Penalties, tickets, or fines issued by the Motor Vehicle Division will be the employee's responsibility.

Information Technology Acceptable Use Policy: Clovis Community College provides numerous information technology resources for use by employees. Information technology includes, but is not limited to, all college computing equipment, software, systems, and networks. These resources are provided to support the College's mission and institutional goals. All users are required to follow the College's Information Technology Acceptable Use Policy governing the use of these resources. The purpose of this policy is to protect the College's technology users and resources to ensure equitable access and proper management of resources. Violations of this policy could result in disciplinary review. In such a review, the full range of disciplinary sanctions is available including the loss of computer use privileges, dismissal from the College, and legal action.

Workplace Violence: Clovis Community College will not tolerate violence. Aggressive acts or threats will be cause for dismissal. Clovis Community College strictly adheres to Section 30-7-2.4, NMSA 1978, which prohibits the carrying of firearms on the college premises, including the buildings and grounds, parking areas, and playing fields in or on which college related activities are conducted. Exceptions to this policy apply only to law enforcement personnel, college security personnel, an academic program, activity, or special event approved by the President, and any persons older than nineteen years of age on the college premises in a private automobile or other private means of conveyance for lawful protection of the person's or another's person or property. Violation of the State law is a criminal misdemeanor.

Violators of this policy shall be prosecuted and punished under New Mexico law and the employee policies of Clovis Community College.

Outside Activities: All employees of the College are expected to perform their duties faithfully and efficiently. An employee should not cause suspicion of improper conflict with the interests of the College or any agency of the state government. Personal relationships where one participant is in a position of power/authority/control over the other participant

may raise questions of conflict of interest, personal or institutional integrity, implied coercion, and harassment.

Employees are expected to devote their primary work efforts to the business of the College. Activities that interfere with the primary work commitment to the College must not be undertaken. Therefore, employees are discouraged from engaging in other employment that:

- Could be inconsistent with the interests of the College
- Could by reason of the association, have a derogatory effect on the College
- Could require devoting so much time and effort that the College employment efficiency would be adversely affected

If work performance suffers, supervisors will document the lack of performance either on an Employee Warning Record, a letter to the employee, or the next scheduled performance appraisal form. Professional employees may accept a part-time faculty contract upon approval of the Executive Vice President. A Teaching Approval form is required. In all outside activities unrelated to the individual employment, the employee functions without the College's sponsorship and the College assumes no responsibility for such activities.

DRESS CODE

Employees represent the College and should dress appropriately for the work environment as determined by the department supervisor. The following factors should be considered.

- The nature of the work
- Personal hygiene
- Safety considerations such as necessary precautions when working near machinery, chemicals, or hazardous waste
- The nature of the employee's public contact, if any, and the normal expectations of outside parties with whom the employee will work
- The prevailing practices of other employees in similar positions

In areas where CCC uniforms are provided, they must be worn. Uniforms may not be worn when the employee is not at work.

DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL CAMPUS POLICIES

GENERAL POLICY

Clovis Community College is a drug-free campus. Drug and alcohol abuse on campus poses a serious threat to the health and welfare of faculty, staff, and students; impairs work and academic performance; jeopardizes the safety and well-being of other employees, and members of the general public; and conflicts with the responsibility of Clovis Community College to foster a healthy atmosphere for the pursuit of education and service.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on the premises of Clovis Community College, including but not limited to, its campus grounds, facilities, vehicles, or any activity held on the College premises.

PURPOSE

To inform all employees about:

- The dangers of drug or alcohol abuse in the workplace
- The Board of Trustees' policy for maintaining a drug-free Campus environment

- The information on available drug or alcohol counseling, rehabilitation, or employee assistance programs
- The appropriate disciplinary action and penalties that may be imposed for a drug or alcohol abuse violation

REQUIREMENTS

Each employee as a condition of employment must:

- Abide by the Board of Trustee's Drug-Free Workplace and Drug-Free Campus Policy
- Notify the Executive Director for Business and Government Relations of any criminal drug statute conviction for a violation occurring on the campus premises no later than five days after conviction
- Sign a certification of awareness of the Campus Drug-Free Workplace and Drug-Free Campus Policy and programs. Each employee will be provided a copy of the policy

AVAILABLE ASSISTANCE

A description of the health risks associated with the use of illicit drugs and the abuse of alcohol will be provided to each employee. A description of any drug or alcohol counseling, treatment, rehabilitation, or re-entry programs that are available will be provided to each employee by the Human Resource Services Office. CCC offers counseling referral services to those requesting it.

DISCIPLINARY ACTION

Clovis Community College will impose disciplinary sanctions on employees consistent with local, State, and Federal law, up to and including termination of employment and referral for prosecution, for violations of the standards of conduct. Appropriate disciplinary action will be according to the Disciplinary and Discharge Policy, and/or requiring the employee to participate in an approved drug-abuse assistance or rehabilitation program.

PERFORMANCE APPRAISAL

PERFORMANCE POLICY AND STANDARDS

It is the policy of Clovis Community College that regular reports be made as to the competence, efficiency, adaptation, conduct, merit, and other job-related performance conditions of its employees. A meaningful performance appraisal system, through which Clovis Community College can continuously monitor the effectiveness of its operations, allows areas of concern to be corrected. It is the responsibility of all supervisory and management personnel to provide reasonable training to employees; to assign, direct, control, and review the work of subordinate employees; to make efforts to assist employees in correcting deficiencies; and to evaluate employees objectively for their performance during the evaluation period.

The preparation and use of employee performance appraisals are intended for the mutual benefit of Clovis Community College and its employees. Performance appraisal reports should be used primarily to identify specific levels of appropriate standards being met; to acknowledge the merit of above-standard performance; and to prescribe the means and methods of correcting deficiencies to a required level of performance.

PROBATIONARY APPRAISAL

For newly hired employees, the first year of employment is considered a probationary period. During this period employees will receive a performance appraisal at the end of

four (4) months, eight (8) months, and twelve (12) months as a means of determining integration into the Clovis Community College work force, job learning progress, attendance, and any other feature of the individual's job that is important for job success and significant to a retention decision.

The final probationary period (twelve month) appraisal should be completed and submitted to the Human Resource Services Office at least five (5) working days prior to the conclusion of the employee's probationary period along with a completed Retention of Probationary Employee form.

EMPLOYEE SELF-APPRAISAL

The self-assessment provides the employee with the opportunity to contribute significantly to improving both their own performance and the working relationship with the supervisor. The employee's insights and perspective about the responsibilities required for the position, the employee's contributions to CCC, and any development activities that have been accomplished over the past year are valuable. The self-assessment form is designed to provide time for the employee and the supervisor to look back over the employee's past performance and the employee's progress toward established goals and realistically plan for the future. The self-assessment encourages pride in the employee's accomplishments and candidness about the employee's weaknesses. It is important to be frank and open during the discussions.

The employee and the supervisor will work collaboratively to establish a plan for the next reporting period. An essential goal of the performance appraisal meeting is that both the employee and the supervisor know clearly what is expected of each other and feel strongly that objectives can be achieved by working together.

ANNUAL PERFORMANCE APPRAISAL

Annual performance appraisals of each employee's performance during the preceding year are to be completed by supervisory personnel and discussed with the next level supervisor prior to presentation to the employee. All strengths, contributions, weaknesses, and suggested areas for improvement will be discussed with the employee to avoid misinterpretation. Identified characteristics of an employee's performance needing improvement will include specific recommendations. A follow-up appraisal will be performed in three to four months.

EMPLOYEE REVIEW

Supervisors may conduct a performance review at any time if deemed necessary. Each performance appraisal will be thoroughly discussed with the employee by his/her supervisor to point out both areas of successful performance and areas that need improvement, or that are unacceptable. Employees are encouraged to comment about their work performance and to offer suggestions for improving operations. The employee must sign the performance report to acknowledge awareness of its contents and discussion with the supervisor. The employee's signature does not necessarily mean that the employee agrees with the contents of the report, and the employee may so state on the form before signing.

PROMOTION, DEMOTION, AND TRANSFER

GENERAL POLICY

New positions and job vacancies may be filled from within a department by promotion, demotion or transfer of qualified and interested persons. If it is determined that a new position or vacancy will not be filled from within the department, the administrative unit

must then seek a pool of qualified applicants as defined under the Employment Policies and Practices section.

POSITIONS COVERED

All regular positions or vacancies (full-time and part-time) are covered by this policy. Temporary positions are not covered by this policy.

QUALIFICATIONS FOR PROMOTION, DEMOTION, OR TRANSFER

All promotions, demotions, or transfers are based on training, experience, and past performance without regard to race, age, religion, color, national origin, ancestry, sex, sexual orientation, spousal affiliation, gender identity, veteran's status, physical or mental handicap or serious medical condition. A Vice President shall be responsible to determine if a promotion, demotion, transfer or a search is in the best interest of the College. The employee promoted, demoted or transferred must report to the same Vice President before and after the promotion, demotion, or transfer. The President may transfer an employee currently reporting to one Vice President to a position that reports to another Vice President on the next available pay period.

ELIGIBILITY

- All regular employees are eligible under this policy.
- All temporary employees and students are excluded from this policy.

Promotion or transfer during the employee's probationary period is discouraged. In the event of promotion, demotion, or transfer, employees will be required to serve an additional probationary period as shown below.

Promotion	4 month probationary period
Transfer	4 month probationary period
Demotion	12 month probationary period

LATERAL TRANSFER

Lateral transfer is the movement of an employee to another position in the same pay grade as the employee's previous position. Lateral transfers are without an increase in salary.

RECLASSIFICATIONS

A position may be re-evaluated if the primary duties have either increased or decreased substantially in scope and complexity. Acquiring more of the same type of work will not qualify as justification for a position re-evaluation. If it is determined a position description no longer accurately reflects the duties and responsibilities of the position, a new position description will be placed in the employee's file. A reclassification pay increase will only take place upon approval of the Vice President of the employee's department, the Vice President for Administration and the Executive Director of Business & Government Relations. All salary adjustments are effective as of the date of the next payroll cycle.

For promotions and transfers, the employee's supervisor has the right to extend the probationary period by an additional four (4) months should time be necessary to properly assess the employee's performance. If the employee received an overall rating of Needs Improvement, an extension of the probationary period will be required. An upgrade of a current position to a higher grade will not require an additional probationary period.

Once an employee has fulfilled the probationary period requirement, the supervisor will complete the Retention of Probationary Employee form and forward to the HR Office.

DISCRIMINATION AND GRIEVANCE POLICY

Title VI and VII of the Civil Rights Act of 1964, Age Discrimination in Employment Act of 1967, Title I of the 1968 Civil Rights Act, Title IX of the Educational Amendments of 1972, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act require colleges to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging discrimination based upon race, age, religion, color, national origin, ancestry, sex, sexual orientation, spousal affiliation, gender identity, veteran's status, physical or mental disability or serious medical condition.

DEFINITION

Any act of discrimination against an individual at Clovis Community College is defined as the failure to treat persons equally where no reasonable distinction can be found between those favored and those not favored. A grievance shall mean a complaint has been filed indicating a violation, misinterpretation, or inequitable application of Clovis Community College policies and practices.

SCOPE

This policy applies to any individual professional employee. An individual may bring questions about procedure, seek informal advice, or present a complaint to the Director of Human Resource Services. In cases of alleged discrimination, individuals may use this policy and procedure to initiate grievances.

GROUND FOR A GRIEVANCE ACTION

- Any decision in the evaluation of an employee's performance resulting in a below standard appraisal allegedly resulting from a violation of the campus discrimination policy
- Acts of threat, intimidation, or harassment
- Arbitrary or other actions, which have an adverse impact on the individual, except those actions specified herein or
- Violation of human and civil rights which are specified in College policies and procedures and State or Federal laws, such as discrimination on the basis of race, age, religion, color, national origin, ancestry, sex, sexual orientation, spousal affiliation, gender identity, veteran's status, physical or mental handicap or serious medical condition

The following are not grounds for a grievance under this policy:

- Complaints about job evaluation except those allegedly resulting from a violation of the campus policies
- Complaints about salary placement

NON-RETALIATION

Employees are cautioned that retaliatory action or conduct directed toward persons initiating complaints is unacceptable. Retaliation for filing a discrimination complaint is grounds for a subsequent harassment complaint. Complainants shall have the right to pursue grievances under this policy without fear of retribution, retaliation, coercion, intimidation, or jeopardy. Supervisors or other accused persons in a grievance who fail to abide by this provision shall be subject to the College's Right to Manage, Discipline, and Discharge Termination Policy.

CONFIDENTIALITY

The confidentiality of all parties involved in a grievance shall be strictly respected insofar as it does not interfere with the College's obligations to investigate allegations of misconduct and to take corrective action.

A hearing of a charge of sexual harassment shall not be open to any persons other than the ad hoc Grievance Committee, the parties and where appropriate, their counsel and such witnesses as the committee may call to testify. The hearing may be opened to the public upon the express written agreement of both the complainant and the person or persons against whom the complaint is brought.

SEXUAL HARASSMENT

As an institution committed to providing higher education, Clovis Community College does not tolerate or condone unlawful conduct. The College intends, to deter sexual harassment through the widest possible dissemination of this policy; and to implement corrective action for those individuals who disregard this policy.

This policy expressly prohibits unreciprocated and unwelcome relationships. In addition, relationships where one participant is in a position of power/authority/control over the other participant may raise questions of responsibility, conflicts of interest, personal or institutional integrity and/or implied coercion and harassment. To avoid the possible problems described above, relationships between parties in which one party has a supervisory role over the other are discouraged. Disclosure of such relationships must be made to the Human Resource Services Office.

In determining whether alleged conduct constitutes sexual harassment, consideration shall be given to the record as a whole and to the totality of the circumstances, including the nature of the sexual advances and the context in which the alleged incidents occurred.

Title VII of the Civil Rights Act (1964) and Title IX of the Educational Amendments (1972) clearly prohibit unwanted sexual advances in the work place or the learning environment and describe unlawful sexual harassment as:

- Submission to sexual conduct as an explicit or implicit term or condition of an individual's employment or education
- Submission to or rejection of sexual conduct by an individual as the basis for academic or employment decisions affecting that individual
- When sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature have the purpose or effect of unreasonable interference with an individual's academic or professional performance or creates an intimidating, hostile, or demeaning employment or educational environment

RESPONSIBILITY

Anyone who receives a complaint of discrimination or who has actual knowledge of a violation of this policy shall report it to the Director of Human Resource Services within ten (10) working days. Investigation of a complaint shall be made only after consultation with the Director of Human Resource Services.

GRIEVANCE PROCESS

Step 1: Informal Discussion. The complainant, with the Director of Human Resource Services, shall attempt to resolve the matter through informal discussions with the accused party. The Director of Human Resource Services will act as a

mediator/facilitator and consult confidentially with the person ~~at~~ against whom the complaint is directed in order to call the objectionable behavior to that person's attention, or conduct an informal sexual harassment investigation. If the matter is not resolved to the complainant's satisfaction, the complainant may, within ten (10) working days after the informal discussion(s) are concluded, advance to Step Two.

Step 2: *Written Statement of Grievance.* If, as a result of informal discussion with the accused party, the problem is not resolved, the complainant may submit a written grievance to the Director of Human Resource Services. Copies of the written statement of grievance must be provided to the President. The written statement of grievance shall state the time, place, and nature of the grievance and the corrective action desired. The written statement of grievance must be received within ten (10) working days after the informal discussion(s) are concluded. If the written complaint is not received within the stated time, the College shall not be required to take further action on behalf of the complaining party.

The Director of Human Resource Services must provide a written response to the complainant within ten (10) working days after receipt of the written statement of grievance. Copies of the written response to the complainant must be provided to the President. The written response must include a copy of the grievance procedures for use by the complainant in the event he/she finds the response unsatisfactory. If the Director of Human Resource Services' response is satisfactory, the grievance shall be closed.

Step 3: *Letter to the President.* If the complainant is not satisfied with the written response of the Director of Human Resource Services, he/she must within ten (10) working days of receipt of the Director of Human Resource Services' response, request in writing that a Grievance Committee be convened. The letter shall state the reasons the complainant believes the decision to be in error and shall request a review of the records. A meeting will be arranged within ten (10) working days. The meeting shall be conducted as follows:

1. The written statement of grievance prepared in Step Two shall be reviewed.
2. A five-member ad hoc Grievance Committee will be appointed by the President. If the President is involved in the grievance, then the committee shall be appointed by the Chair of the Board of Trustees. The five members will include an administrator, two regular professional employees, and two regular support employees. The committee will hear testimony, examine witnesses, and consider any relevant evidence presented.
3. Both the complainant and the accused party shall have the right to present relevant written or oral statements, testimony, evidence, and witnesses. The complainant and accused may be present at the hearing and may be represented by persons of their choice. Each party shall have the right to be represented by counsel and to question witnesses and hear testimony.
4. Within five (5) working days following the close of the meeting, the Grievance Committee shall issue a written decision for resolution of the grievance, limiting the decision to the issues contained in the formal grievance.
5. The Grievance Committee shall present their decision in writing to the complainant, the accused, and the President. The response shall include

instructions to the complainant on proceeding to Step Four of the grievance process in the event the complainant is not satisfied with the outcome at this level.

6. If the complainant accepts the results of Step Three, the grievance shall be closed.

Step 4: Review by the President. If the complainant is dissatisfied with the committee response, he/she may, within five (5) working days, request in writing a review by the President. If the President is involved in the grievance, then the complainant may, within five (5) working days, request in writing a review by the Chair of the Board of Trustees. The request must state the desired outcome of the review. Within five (5) days after receipt of the grievance the President will notify all parties of his or her decision, which may include, but not be limited to one of the following:

1. Dismissal of the charge;
2. Reduction of any recommended sanctions;
3. Upholding of the Grievance Committee's decision; or
4. Other action as deemed appropriate by the President.

There shall be no further appeal as a matter of right.

FAILURE TO OBSERVE TIME LIMITS

In the event the complainant fails to exhaust all remedies under this procedure or to abide by the time limits with respect to each step, the grievance shall be presumed abandoned and the matter shall be considered closed.

In the event the College fails to give its answer at any step within the time limits prescribed, the complainant shall have the right to proceed immediately to the next step.

The President may extend the time limits in the event of extenuating circumstances. Any time limit may be extended by written mutual agreement by the complainant and the College.

The time limitation in which an individual may begin a grievance is ten (10) working days from the time of the occurrence.

DETERMINATION

Any determination of a grievance shall be applicable to that grievance only and shall not be binding for the disposition of any other grievance.

If, after review with the Director of Human Resource Services, the President determines that action is appropriate, the College may proceed against the party responsible for the offending behavior by invoking the appropriate action.

VI. SEVERANCE, DISCIPLINE, AND TERMINATION

THE COLLEGE'S RIGHT TO MANAGE, DISCIPLINE AND DISCHARGE

MANAGEMENT RIGHTS

Clovis Community College shall retain the right, in accordance with applicable Federal and State laws and Board of Trustees policies to:

- Determine the mission of the College and its constituent sub-divisions
- Set standards, to exercise control and discretion over the College organization and its operations
- Direct employees of the College
- Hire, promote, transfer, assign, and retain employees or physically remove employees and to suspend, demote, discharge, or take other disciplinary action against employees
- Maintain the efficiency of the operations entrusted to the administration
- Determine the methods, means, and personnel by which such College operations are to be conducted
- Take whatever actions may be necessary to carry out the functions and mission of the College and maintain uninterrupted service to its students and faculty in situations of emergency

Clovis Community College may monitor CCC provided cell phones, office phones, computers, offices, and all other sites located on campus. CCC will only utilize monitoring as a means to resolve concerns. Employees should not expect the right to privacy.

CORRECTIVE DISCIPLINE

General Policy: Adequate cause for suspension, termination of services, or other disciplinary action may result from an employee's refusal or willful failure to perform duties assigned by his/her supervisor, incompetence in the performance of duties, or other just cause. Corrective discipline, as a method of dealing with unsatisfactory performance or misconduct of an employee is designed to provide the employee with an opportunity to become aware of and to correct the deficiency. The goal is to correct the misconduct or substandard performance and restore the employee as a productive member of the work force.

TYPES OF CORRECTIVE DISCIPLINE

Verbal Warning: This is generally used for minor misconduct or to correct minor faults in employee performance.

Documented Warning: An official documented form is available in the Human Resource Services Office. A documented warning may be a formal documented warning form, a performance appraisal form, or a letter communicating the problem. Email is not an ideal method to document a warning. A documented warning is utilized when the deficiency or misconduct is of a greater degree or if a subsequent warning for minor misconduct fails. The warning must be signed by the employee indicating that the warning has been read by the employee. The warning is then placed in the employee's personnel file. If the employee refuses to sign the warning, the supervisor should indicate this on the form, sign, date, and forward it to the Human Resource Services Office.

Suspension: An employee may be suspended without pay for serious offenses or for continued low performance or misconduct after previous attempts to correct behavior have failed. Suspensions will be administered in compliance with Fair Labor Standards Act (FLSA). Such suspensions may be for a partial week but will be for at least one full day unless for a safety issue. Suspensions shall not exceed fifteen (15) working days. Employees may not charge suspension time to vacation or other types of paid leave.

Discharge (Dismissal): While discharge is not a type of corrective discipline, it is a possible consequence of failure in corrective discipline and is therefore considered here. An employee may be discharged when corrective discipline has failed or when the seriousness of the matter is such that the employee should not be permitted to remain on the work force. An employee may be terminated if he/she knowingly makes false statements or omissions on his/her application for employment. This discharge policy does not apply to probationary employees who may be terminated without cause or recourse any time prior to completion of the probationary period. (See Probationary Period of Employment)

Disciplinary Steps: The supervisor should document all steps.

Step 1 Verbal Warning: The supervisor first must give the employee a verbal warning. A written recap of the meeting is appropriate.

Step 2 Written Reprimand: Puts the employee on notice to correct a situation before it becomes disciplinary. The reprimand must be discussed with the employee, including consequences of continuance (i.e., suspension), a copy given to the employee and an original placed in the official file. The following information is included on the formal documented warning:

- Date of Notice
- Name of Employee
- Employee's Position and Work Area
- Detailed Description of the Offense
- Citation of Policy or Procedure Violated, if applicable
- Statement of Consequence of a Repeat Offense or Continuation of the Same or Similar Offense.

Step 3 Second Written Reprimand: Can be a reoccurrence of a previous offense OR may be a first offense of another policy or procedure. This step may or may not include suspension. Information to be included is the same as for Step Two.

NOTICE: Failure on the employee's part to correct the action(s)/offense(s) and/or continuance in offensive behavior will be grounds for dismissal.

Discharge from employment with just cause may include, but shall not be limited to:

- Willful neglect or non-performance of one or more assigned duties
- Demonstrated incompetence in the performance of one or more assigned duties
- Behavior that interferes with the mission or normal operation of the College, the department, or any members of the work force
- Insubordination, which shall mean refusal to carry out a direct order
- Dishonesty in the performance of assigned duties
- Chronic absenteeism or tardiness without reasonable excuse
- Possession or use of alcohol or a non-prescribed controlled substance during any period of assigned work
- Institutional theft
- Dishonesty on an application for employment
- Gross misconduct

- Aggressive acts or threats
- Violation of Information Technology Acceptable Use Policy

If the employee feels that a supervisor has violated, misinterpreted, or inequitably applied a Clovis Community College policy or procedure, the employee may take action through the Grievance Procedures.

Employees who were terminated for cause, released under the probationary period, or resigned after disciplinary actions will not be eligible for future employment with Clovis Community College in any capacity.

SELECTION OF APPROPRIATE DISCIPLINARY ACTION

Each case of inadequate work performance or act of misconduct is judged individually and the type of corrective discipline to use will depend on the severity of the misconduct, the employee's previous record, and any other pertinent factors. It is not necessary that the types of corrective discipline be applied sequentially (i.e., verbal warning, documented warning, suspension). The type of corrective discipline should be based on the nature of the fault and the circumstances of the case.

APPROVALS FOR CORRECTIVE DISCIPLINE

Any supervisor may take corrective discipline with an employee under his/her authority, consistent with departmental policies. Copies of any documented disciplinary action (i.e., documented warning or suspension) must be furnished to the Human Resource Services Office. Discharge and demotion cases must have prior consultation with the Vice President responsible for the affected employee. The Vice President has the responsibility to consult with the Human Resource Services Office to ensure that there is proper supporting documentation for the action to be taken.

TERMINATION OF EMPLOYMENT

TYPES OF TERMINATION

Each termination will be categorized as falling within one of the following seven (7) official types of terminations.

Deceased

Discharge (Dismissal) - Terminated after corrective discipline has failed or the seriousness of the conduct or situation so warrants. (See College's Right to Manage, Discipline and Discharge Policies)

Layoff - Terminated because of reduction in force due to lack of funds, work, or other compelling reasons.

Release - Termination at the end of temporary employment.

Relieved - Terminated during the twelve (12) month probationary period. Probationary employees may be terminated any time prior to completion of the probationary period without cause or recourse.

Resignation - Employee request. In the event an employee decides to resign, a written resignation should be submitted to the supervisor and the Human Resource Services Office as soon as possible and no less than two (2) weeks prior to the effective date of proposed separation.

Involuntary Resignation -

- Employee abandons job.

- Is absent for two (2) consecutive workdays without permission except when an emergency situation precludes giving notice. Workdays are considered consecutive even when broken by normal non-working days such as holidays or weekends.
- Fails to return to work within the prescribed time limits following a leave for extended illness, injury, pregnancy, or personal reasons.

Retire - Retired under the New Mexico Educational Retirement Act.

NOTICE OF TERMINATION

All layoff and discharge cases should have prior consultation with the Human Resource Services Office. Whenever such consultation is not practical because of urgency or other pressing reasons, necessary action may be taken and the case reviewed with the Human Resource Services Office as soon as practical. Temporary employees, probationary employees, and employees being discharged for cause, should be given reasonable notice where practical, but no minimum notice is required.

PAY IN LIEU OF NOTICE

Normally, disciplinary action will be taken prior to discharge. When disciplinary action has failed, an employee may be discharged and given pay in lieu of notice. Pay in lieu of notice may be given at straight-time rate when giving notice is not practical. Pay in lieu of notice may not be granted if in the judgment of the College it is determined that immediate dismissal for serious misconduct is warranted.

TERMINATION OF EMPLOYMENT PROCEDURE

To protect both the employee and the College, and for official records to determine if an employee is eligible for unemployment compensation, the following procedure is to be used for all terminations:

- If the employee decides to resign, a written resignation should be submitted to the Human Resource Services Office as soon as possible and no less than two (2) weeks prior to the effective date of proposed separation.
- The Supervisor must confirm the last day actually worked. All campus equipment, tools, keys, etc. must be returned by the employee. Terminated employees are not allowed to return to their work areas and work on Clovis Community College equipment or take any items from the work area without supervision. Clovis Community College equipment is provided for the completion of business activities. Terminated employees will not be given access to any personal computer files. Any accounts receivable balance must be cleared on or before the last day of employment through the cashiers. Outstanding balances will be deducted from the employee's last paycheck.
- Submit a completed Exit Procedures Form to the Human Resource Services Office. This form must be submitted on or before the last day of employment. The Human Resource Services Office must be provided a forwarding address.
- If a terminating employee is participating in the Flexible Cafeteria Plan, the employee's remaining unpaid elected annual dollar allocation for medical care expenses will be deducted from the employee's final paycheck. The employee may continue to claim allowable medical reimbursement for the remainder of the calendar year and extend the benefit through the end of the plan year. Contributions to dependent care reimbursement will end upon termination of employment. Participants may continue to make claims on contributed funds.

- Upon termination, employees will not be paid for unused medical leave credits. Vacation credits will be paid unless the employee has not completed three (3) months of employment.

LAYOFF CASES

Clovis Community College recognizes that there are circumstances under which it may be necessary to reduce the work force. These circumstances include, but are not limited to, lack of funds, economic slowdowns, lack of work, organizational changes, technology changes, program reductions or program deletion and enrollment fluctuations. Every effort is made to place an employee in good standing in another position within the College prior to layoff. The order of layoff shall be based on performance, ability, training, seniority and other qualifications as determined by the College. When performance, ability, etc., are equal, seniority shall be the determining factor. Recall shall be in reverse order. Probationary and temporary employees are normally laid off before regular employees in the same classification and department.

UNEMPLOYMENT COMPENSATION

GENERAL POLICY

Clovis Community College has New Mexico Unemployment Compensation Act coverage. Cost of the coverage is borne totally by the College.

ELIGIBILITY

Eligibility is determined by the Employment Services Division based on the circumstances of each case and the provisions of the Unemployment Compensation Act.

PROCEDURE

It is the responsibility of each supervisor to notify the Human Resource Services Office for each case of employee separation. The Employment Security Division allows the College a maximum of ten (10) calendar days for a response to an unemployment claim. It is the supervisor's responsibility to ensure that all data (letters of resignation, discharge notes, letters from the Employment Services Division) is immediately transmitted to the Human Resource Services Office.

REHIRE AND REINSTATEMENT

REHIRE POLICY

If an employee is terminated for cause, released under the probationary period, or resigned after disciplinary actions; the employee will not be eligible for future employment with Clovis Community College in any capacity.

DEFINITIONS

Rehire - The re-employment of any former employee of the College who terminated for reasons other than termination for cause, released under the probationary period or resigned after disciplinary actions.

Reinstatement - The placing back on roll of any employee who has been temporarily terminated due to layoff.

BENEFITS TREATMENT

Rehires: All rehires will be considered new employees for purposes of computing accrual rates for vacation, medical leave and other benefits including seniority.

Reinstatement: While medical leave credits do not accumulate during layoff, accumulated medical leave is held for one year and credited to an employee's account upon reinstatement, if such reinstatement is within the one-year period. An employee recalled from layoff within one year will be given credit for prior service in computing accrual rate for vacation, medical leave, and other benefits.

REHIRE OR REINSTATEMENT POLICY

Subject to the provision stated in paragraph below, no employee who has terminated employment at the College may be rehired or reinstated for the same or similar job at a higher rate of pay than the employee would normally have earned through continuous employment at the College.

Employees who have terminated may be rehired at higher rated jobs and higher rates of pay if they have the required qualifications through education, experience, etc., but they must be considered for the position along with other applicants. Employees rehired or reinstated must serve another 12-month probationary period upon re-employment whether in the same or different job title.

If an employee is terminated for cause, released under the probationary period, or resigned after disciplinary actions, the employee will not be eligible for future employment with Clovis Community College in any capacity.

RETIREMENT

Clovis Community College employees are covered by the provisions of the New Mexico Educational Retirement Act. Participation in the New Mexico Educational Retirement system (NMEMA) is mandatory for all employees who have contributed to the NMEMA in the past, excluding temporary employees who work less than a 25% full-time equivalency. Selected positions (directors and above) as determined by NMEMA are given a choice of participating in the NMEMA or to choose one of the alternative carriers: TIAA-CREF or VALIC. Retirees returning to work will be required to participate depending on their retiree status with NMEMA.

The New Mexico Educational Retirement Board limits the payment of accrued vacation for retirement benefits to a maximum of 240 hours. Employee contributions are refunded without interest on deposits prior to July 1, 1971, and with interest on deposits after July 1, 1971, to those who leave employment covered under the New Mexico Educational Retirement Act.

Refunds are not automatic. Forms for a refund of employee contributions are available in the Human Resource Services Office. Employee contributions to the NMEMA are deferred from income tax. When the employee contributions are refunded they will be subject to taxation in the year refunded. Requests for refunds will be forwarded to the New Mexico Educational Retirement Board.

Employees become vested in the plan after twenty quarters of participation. Employees covered by New Mexico Educational Retirement for at least twenty quarters may complete an Option B form. Option B provides a monthly annuity to a member's designated beneficiary upon death of the member prior to the member's retirement. It is permissible to change beneficiaries until retirement.

For more information, please visit the NMEMA web site, www.era.state.nm.us.

RETIREE BENEFITS

The following benefits are afforded retirees:

- Use of library and computer labs during operational hours if space allows
- Publications printed by the college
- Retain CCC email address
- All college-sponsored events and facilities are available on the same basis afforded to regular full-time employees. Retirees may participate in the CCC Wellness Program
- Retired employees shall have the same tuition waiver privilege as regular full-time employees
- The College shall pay 60% of the college-sponsored insurance premiums for retirees. The retiree must have been enrolled in CCC's health plan prior to retirement. If the retiree is a return-to-work retiree, upon termination of employment the retiree will revert to the health plan they were covered under when the retiree originally retired. Health plan payments must be timely and may be paid either monthly or quarterly. Non-payment could result in cancellation of health plan.
- Term life insurance coverage continues, however, the value is reduced to \$10,000 at the time of retirement

RETIREE EMPLOYMENT

The following is provided for general informal purposes. Specific questions should be addressed to the New Mexico Educational Retirement Board. NMERA retirees who wish to be employed by Clovis Community College should be aware of the retiree categories as outlined by the New Mexico Educational Retirement Association. A retiree is responsible for selecting a category and ensuring they are enrolled in that category at the New Mexico Educational Retirement Association. Changing categories through employment choices could result in termination of the employee's status as a retiree resulting in the requirement that all retirement benefits be repaid by the employee. The following is provided for general information purposes, but is subject to change by legislation or action by NMERB.

"RE" – Retired Earning Less than \$15,000

An NMERA retiree may return to employment (includes substitution) and earn a maximum of \$15,000 per fiscal year. If this amount is exceeded, the member's retirement pay will be suspended for the duration of their employment. **The member will be returned to active status and will have to repay benefits to NMERA.** Member and employer contributions retroactive to the first date of the applicable employment period must be remitted to NMERA.

"RW" – Retired Working Less than Equivalent of .25 FTE (Do not confuse with "PT" job category that is only used for non-retired NMERA employees).

An NMERA retiree may return to employment and earn the amount possible under the 25% or less FTE provision. The member may not work more than 25% of the time. If the member works for another NMERA Administrative Unit, (i.e. ENMU) the combined service cannot exceed 25%. If reported for more than 25%, the member's retirement pay will be suspended for the duration of the employment. **The member will be returned to active status and will have to repay benefits to NMERA if they work more than 25% of the time.** Member and employer contributions retroactive to the first date of the applicable employment period must be remitted to NMERA.

“RT” – Return to Work (must be approved by NNERA PRIOR to employment)

The retired member must complete an application, meet the eligibility requirements, and have been approved by NNERA to participate in this program prior to employment. The retiree must supply Clovis Community College with a copy of the approved application. **If the retiree fails to provide CCC with an approval to participate in the Return to Work program, the member’s retirement pay will be suspended for the duration of the employment, the member will be returned to active status and will have to repay benefits to NNERA.** Member and employer contributions retroactive to the first date of the applicable employment period must be remitted to NNERA.

EMERITUS PROGRAM

Eligibility requirements are:

- Twenty (20) years service at Clovis Community College as a full-time employee or an administrator at the Dean/Director level or higher with good standing at the time of retirement.
- Formal retirement from Clovis Community College as evidenced by NNERB status upon their separation from service. Human Resource Services Office will confirm eligibility.
- Emeritus status must be applied for based upon the previous requirements.

Eligible incumbents will:

- Be provided business cards and ID Cards at College expense.
- Be formally invited to participate in graduation exercises at CCC. Individuals will use previously supplied academic regalia or supply their own.
- Be eligible to keep their e-mail address at CCC.

The Emeritus designation implies no other privileges other than those enumerated in this policy. Emeritus status may be revoked at any time by the Board of Trustees for violations of any of the campus codes of conduct or any other actions deemed inappropriate. The ID card remains College property and must be returned to the College if Emeritus status is revoked.

APPENDIX A

COMMITTEES

Administrative Services Council: Professional employees are represented on this council.

Assessment Council: Professional employees are represented on this council.

Informational Technology Council: Professional employees are represented on this council.

Leadership Council: Professional employees are represented on this council.

Professional Grievance Committee: Consists of an administrator, two regular professional, and two regular support employees.

President's Council: Professional employees are represented on this council.

APPENDIX B

GLOSSARY

Compensatory Time Plan: Time off granted for hours worked over the standard forty (40) hour workweek. Time is granted at the rate of one and one-half hours for every hour worked over the standard forty (40) hours. Time-off is granted during the pay period earned.

Conflict of Interest: When an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the College's business or professional dealings.

Demotion: A demotion is when an employee is reassigned from a higher grade position to a lower grade position and assumes less responsibility. Demotions may or may not be the result of a disciplinary action. **Discharge (Dismissal):** An employee may be terminated when correction discipline has failed or when the seriousness of the matter is such that the employee should not be permitted to remain on the work force.

Equal Employment: Policies, procedures, and practices adopted to assure equal employment opportunities for all persons.

Exempt: Exempt employees are exempt from overtime/time off plans. The exempt professional employee is not an hourly employee. The professional exempt employee's primary duty is work requiring knowledge of an advanced type in a field of science or learning.

Grievance: A complaint, regarding a work-related problem or condition, by an employee that there has been a violation, misinterpretation, or inequitable application of Clovis Community College policies and practices.

Holiday: The calendar day observed as a holiday; however, for an employee on a shift crossing midnight, it is the 24-hour period beginning with the regular starting time on the calendar day observed as the holiday.

Job Description: A formal listing of the expectations and requirements of a regular position or temporary position. Each job description shall include the job title, job classification, effective date, listing of job duties, minimum educational and experience requirements.

Layoff: Termination because of reduction in force due to lack of funds, work, or other compelling reasons.

Occupational Deferments: An exemption request by an employer.

Probation: Twelve (12) months during which an employee will be evaluated on work performance and may be terminated without cause.

Professional Staff: The term "professional staff" refers to personnel holding positions classified as "exempt" under the Fair Labor Standards Act as amended. These include such positions as directors, managers, accountants, system analysts and counselors.

Promotion: A promotion is when an employee is reassigned from a lower grade position to a higher grade position and assumes more responsibility than in the past.

Reclassification: A reclassification occurs when an employee's position is re-evaluated and results in the assignment of a higher salary grade. When a reclassification occurs, the employee is considered to be in the same position as in the past.

Regular Full-time Employee: An employee hired for an indefinite time, in a classified position scheduled forty (40) hours per week over a minimum period of twelve (12) months per year.

Regular Part-time Employee: An employee hired for an indefinite time, in a classified position scheduled to work less than forty (40) hours per week over a minimum of twelve (12) months per year.

Rehire: Any former employee who is reemployed by the College.

Reinstatement: An employee on personal leave with pay, or leave without pay returning to his/her former position.

Relative: Relatives are defined as members of a person's immediate family and includes parents, step-parents, grandparents, spouse, mother-in-law, father in-law, children, son-in-law, daughter-in-law, step-children, grandchildren or siblings.

Release: Termination at the end of the temporary employment.

Relieved: Terminated during the twelve (12) months probationary period.

Resignation: Employee's request for termination. In the event an employee decides to resign a written resignation shall be submitted to the employer as soon as possible and no less than two (2) weeks prior to the effective date of proposed separation.

Retire: Termination under the New Mexico Educational Retirement Act.

Sexual Harassment: Unwelcome sexual conduct that is a term or condition of employment.

Temporary Part-time Employee: An employee hired for a work week of less than forty (40) hours for a limited period of time with a designated ending date. Normally, the limited period of time does not exceed twelve (12) months. Temporary positions are at the will of Clovis Community College, and employees may be terminated at any time without notice or cause.

Transfer: A transfer occurs when an employee is reassigned to a new position that reports to the same Vice President. The President may transfer an employee currently reporting to one Vice President to a position that reports to another Vice President.