

***Important Information
Every Employee Should Know***

NOTE: Please read this handbook carefully. It provides important information about your employment relationship with Ozarks Technical Community College.

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Ozarks
Technical
Community
College

Dear Colleagues:

I hope you find this publication helpful as you serve our community and our students at Ozarks Technical Community College. The handbook was designed to give you relevant and important information in an assessable and up to date format.

Each day, you perform invaluable services to our students and to other employees. I want to thank each one of you for doing what you do to make Ozarks Technical Community College a special place to work and to learn.

Sincerely,



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OTC

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PREFACE

This handbook applies to all full-time employees of Ozarks Technical Community College (OTC). It is designed to acquaint you with OTC and provide you with information about working conditions, employee benefits, and some of the practices affecting your employment with us. It describes many employee responsibilities and college practices, and also outlines the programs developed for your benefit. Employees are strongly encouraged to read this handbook and keep it available for reference. Every attempt has been made to ensure that this handbook is complete and that the policies and procedures contained herein conform to local, state and federal requirements, as well as to recognized principles of employment practices and standards. Employees who have questions about employment policies or procedures that are not answered in this handbook should contact their supervisor, departmental administrator or the Office of Human Resources for assistance. This handbook is available on the intranet at intra.otc.edu

It is our sincere hope that all OTC employees find their employment to be both personally and professionally rewarding. To this end, our goal is to create a work environment that is fair to all employees and that is conducive to the attainment of excellence in supporting the College's vital mission. All OTC employees should understand the College's mission and be dedicated to the ultimate goal of providing the very best educational experience possible for the men and women attending OTC.

We sincerely hope employees find opportunity and satisfaction in his/her work and become valuable and loyal members of the OTC campus community.

NOTICE

This handbook is not intended as an employment contract (expressed or implied) and, accordingly, should not be considered as such. Nothing in this handbook should be relied upon as a guarantee for certain privileges, working conditions, or continued employment. All OTC employees are employed at the will of the Board of Trustees. An employee, regardless of occupation, position, profession or work performed, may be warned, reprimanded, or suspended by the College Chancellor or his/her designee, or dismissed by the Board of Trustees. Employment may be terminated at any time, with or without cause, subject only to any rules or policies the Board of Trustees may have approved.

This handbook is provided as a description of generally accepted guidelines and common practices. Because it is not possible for us to foresee all situations that might arise, we reserve the right to deviate from the guidelines and practices outlined in this handbook if, in our sole judgment, such deviation is warranted based on the facts of a particular situation.

No employee handbook can anticipate every circumstance or question. Accordingly, we may need to change the practices and guidelines described in this handbook. We reserve the right to do so at our sole discretion. Revisions may include changing, rescinding, or adding to any procedures, benefits, or practices described in this handbook. Revisions may be made without prior notice to employees. It is your responsibility to check with your supervisor for changes in the ***Policies and Procedures Manual***. Policies and procedures in the College ***Policies and Procedures Manual*** supersede all statements made in this handbook and are approved by the Board of Trustees.

If other verbal or written communications issued prior or subsequent to the distribution of this handbook appear to change any of this handbook's contents, the guideline(s) set forth in the ***Policies and Procedures Manual*** will be considered the official position/practice of the College. Changes in our procedures, benefits, or practices will not change the mutual "at-will" relationship, except by a written agreement that has been drawn up specifically for that purpose which is signed by you and the Chancellor.

Employees are expected to read, understand, and comply with the guidelines set forth in this handbook. This handbook is the property of OTC and should not be provided to individuals who are not our employees.

1.0 ABOUT THE COLLEGE

1.1 HISTORY

Educational opportunities in the Ozarks took an important step forward April 3, 1990, when residents of Springfield and thirteen surrounding public school districts voted to establish a “community technical college.” As the region’s new comprehensive community college, Ozarks Technical Community College provided an open admission, two-year college with a focus on technical education. Citizens now could earn a one-year Certificate, two-year Associate of Applied Science degree (A.A.S.), or an Associate of Arts degree (A.A.). Word spread quickly of OTC’s commitment to small class sizes, its professional faculty and staff, diverse curriculum and focus on quality.

In September 1991, with 1,198 college credit students, OTC opened its doors at Cox Medical Center North and at 815 N. Sherman in Lincoln Hall and Graff Hall, facilities which formerly housed the Graff Area Vocational Technical Center. These two buildings became the cornerstone of the campus.

In 1996, Ozarks Technical Community College, on its first attempt, received accreditation from the Higher Learning Commission of the North Central Association of Colleges and Schools.

OTC’s potential to meet the job training needs of the area became apparent. New programs were developed and existing programs continually revised with guidance and input from the members of the 41 programs advisory committees, who are citizens and business and industry leaders. Since 1991, more than 200,000 citizens of southwest Missouri have taken advantage of one or more of the college’s educational services.

Enrollment grew at an annual compound rate of 13.3% between 1991 and 2009. Not only did enrollment soar, but quality education continues to prevail. In February 2001, OTC was given a ten-year reaccreditation from the North Central Association.

With this growth rate the campus expanded to accommodate the demand for facilities. The Technical Education Center opened in the summer of 1997, the Information Commons in the summer of 1998, the Information Commons East in the summer of 1999, and the Industry and Transportation Technology Center in 2000. Renovation of historic Lincoln Hall was completed in 2001, after the building was placed on the National Register of Historic Places in May 2000. A plaque recognizing the building’s placement on the National Register, honoring it as the first Julius Rosenwald School in Missouri was unveiled in August 2004. The Information Commons West opened in 2002. The newly renovated Graff Hall reopened in the fall of 2003. The pedestrian mall was funded by a state grant and the fountain was made possible by a gift from John Q. Hammons.

The first classes were held at the Richwood Valley campus in the spring 2007 semester. Named for the historic area where the campus now stands, Richwood Valley is located on Highway 14 between the cities of Ozark and Nixa.

The College’s growth continued in the fall of 2007, when its fine arts programs moved to the third floor of the Jim D. Morris Building, in the Gillioz Theatre complex in downtown Springfield. Later that fall, the Center for Workforce Development expanded into a new location just west of the Springfield campus. In 2008, the Waynesville Education Center moved to a new 10,300 sq.-ft. facility in the Townfield Plaza Center, and OTC assumed the operation of the Licensed Practical Nursing program at Gibson Technical Center in Reeds Spring.

1.2 MISSION

Ozarks Technical Community College's primary mission is to provide accessible, high quality, affordable technical and general education that is responsive to the educational needs of the community and its diverse constituencies.

1.2 PURPOSE STATEMENT

OTC fulfills its mission through the following programs and services:

- *Technical Education Programs* – Provide Certificate, Associate Degree and short term programs which enable students to pursue a career or advance their education.
- *General Education* – Provide courses which lead to accomplishment of Certificate, A.A.S. and A.A. degrees.
- *Developmental Education* – Provide courses which develop basic skills in areas such as adult basic education, reading, writing, mathematics and study skills.
- *Customized Training* – Provide training to address specific needs of business and industry and further economic development in the region.
- *Continuing Education and Community Service* – Provide a variety of non-credit courses and lifelong learning opportunities that are responsive to the needs of the region.
- *Student Services* – Provide services to assist students in fulfilling their educational goals, including orientation, assessment, advisement, financial aid, personal and career counseling, job placement, accommodation services for students with disabilities, and a learning resources center.

1.4 EXPECTATIONS OF OTC EMPLOYEES

Each OTC employee is expected to:

- Read and follow the guidelines established in this handbook.
- Perform duties as assigned by management. At OTC there is no such thing as “*It’s not my job.*” Doing whatever is necessary to meet college and student needs is *everyone’s* job.
- Conduct self in a polite, professional manner, treating students, patrons and co-workers courteously and respectfully.
- Dress appropriately for the job.
- Be on time for work and for meetings and appointments, and deliver work projects by assigned due dates (or deadlines).
- Maintain assigned work areas in a clean and orderly fashion.
- Conduct a safety check of assigned equipment before beginning work.
- Immediately report any problems with equipment or facilities to management.
- Perform all job duties safely.
- Produce quality work with minimal errors.
- Meet goals or standards as set by management.
- Provide honest, truthful, and accurate information regarding work history, education, and training. If falsification of employment records (including pre-employment data such as a resume or employment application), time records, expense reports, and other company records is discovered, it becomes grounds for corrective action up to and including immediate termination, regardless of length of employment.

2.0 COLLEGE POLICIES AND PROCEDURES

2.1 NONDISCRIMINATION POLICY

Ozarks Technical Community College prohibits discrimination and harassment and provides equal opportunities in its admissions, educational programs, activities, and employment regardless of race, color, religion, gender, national origin, age, marital status, sexual orientation, political affiliation, veteran status, and disabilities that include HIV and AIDS, and medical conditions. Bona fide occupational qualifications will be allowed in those instances where age, gender, or physical requirements apply to the appropriate and efficient administration of the position. (Also see policy 3.02)

As per policy 3.39: A college employee who has reason to believe that employment, promotion, training, or transfer was denied him/her, or that demotion, layoff, or termination of employment was forced upon him/her because of his/her race, color, religion, gender, national origin, age, marital status, sexual orientation, political affiliation, veteran status, and disabilities that include HIV and AIDS, and medical conditions, except where specific age, gender, or physical requirements constitute a bona fide occupational qualification necessary to proper and efficient administration, shall have the right to appeal. The OTC contact person is *Alice Ramey, College Director of Human Resources*, (417-447-2631) An employee shall have the right to appeal directly to the Board of Trustees, through the college Chancellor. A college employee has the right to appeal using the grievance procedure if he/she so desires. An employee must appeal an alleged act of discrimination to the Board of Trustees through the college Chancellor, within twenty (20) days of the alleged discriminatory action.

2.2 PROHIBITION OF SEXUAL HARASSMENT (Policy 3.40)

Employees of the College are expected and instructed to conduct themselves in such a way as to contribute to an atmosphere free of sexual harassment.

Sexual harassment of any student or employee by any employee is a violation of Section 703 of Title VII of the Civil Rights Act, and the policy of this College, and will not be tolerated.

Any such person violating this policy will be disciplined in accordance with the procedures outlined below.

A. Purpose

To establish the College's position as a zero tolerance institution with regard to sexually harassing behavior.

B. Policy

1. Employees of the college are expected and instructed to conduct themselves in such a way as to contribute to an atmosphere free of sexual harassment.
2. Sexual harassment of any student or employee by any employee is a violation of Section 703 of Title VII of the Civil Rights Act and will not be tolerated.
3. Any such person violating this policy will be disciplined in accordance with procedures outlined by the college administration.
4. To ensure employees have a rudimentary understanding of the principles of sexual harassment the college will maintain a sexual harassment prevention program.
5. All employees shall annually complete the program requirements.

C. Procedures

1. Examples of Prohibited Behavior

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- a. Unwelcome sexual propositions, invitations, solicitations and flirtations.
- b. Threats or insinuations that a person's employment, wages, academic grade(s), promotional opportunities, classroom or work assignments, or other conditions of employment or academic life may be adversely affected by not submitting to sexual advances.
- c. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome, suggestive or insulting sounds or whistles; obscene phone calls.
- d. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or study area. Such material must be exhibited, if at all, for legitimate educational purposes only.
- e. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- f. Consensual romantic or sexual relationships where such relationships could lead to favoritism toward a student or subordinate employee with whom the instructor or superior is sexually involved and where such favoritism could adversely affects other students and/or employees.

2. Appointment of a Grievance Officer

If an employee feels they have been subjected to sexual harassment, they need to report the incident immediately to the office of Human Resources. The office of Human Resources will provide the employee with the names and contact information for the college grievance officers. If a student feels they have been subjected to sexual harassment, they need to report the incident immediately to the Dean of Student Development. The Dean of Student Development will provide the student with the names and contact information for the college grievance officers. In order to assure gender comfort in reporting of sexual harassment complaints, the college has both a male and a female grievance officer. The grievance officers will receive complaints of sexual harassment and attempt to resolve the complaints in an informal manner.

Once appointed, the grievance officer shall:

- a. Inform employees/students of the policy against sexual harassment and of the grievance procedures for resolving complaints;
- b. Receive complaints of sexual harassment from employees and students;
- c. Confer separately with the complaining employee or student and the individual against whom the complaint is made and to attempt to determine the circumstances leading to the complaint;
- d. If, in the opinion of the grievance officer, it is desirable, and both parties consent, confer jointly and informally with both parties;
- e. Make a determination as to the merits of the complaint and, where appropriate, propose an informal resolution; and

- f. Keep the matter confidential, except to the extent disclosure is required by these procedures. An informal resolution agreeable to both parties closes the matter, except that the grievance officer shall prepare a record of the incident, including the names of the parties involved, and its resolution, and submit it to the college Chancellor who shall maintain a confidential file of such records. The complaining party and the person against whom the complaint is made may inspect the record of the incident and submit a statement to the college Chancellor for inclusion in the file.

3. Application of the Grievance Procedures

The complaint of an employee or student who has been subjected to sexual harassment by a member of the college faculty or staff in violation of this policy is a grievance to be resolved through the employee grievance procedures of this college as set out in the Staff Handbook, except that the presentation of the complaint to the grievance officer replaces its Step 1 presentation to the complaining employee's immediate supervisor and its Step 2 appeal to the appropriate Vice Chancellor. Appeal from the determination of the grievance officer is to the Employee Relations Committee under the employee grievance procedures of this college and is available to both the complaining party and the party against whom the complaint is made.

4. Application of the Student Code of Conduct

A complaint of sexual harassment by a student against another student is not subject to the employee grievance procedure. Such a complaint is subject to the Student Code of Conduct.

D. Responsibilities

1. Human Resources shall receive and document all reports of sexual harassment. They shall provide the individual with the pertinent information of college grievance officers.
2. The Grievance Officer shall administer the report through the grievance process.

E. Definitions

Requests for sexual favors and other unwelcome verbal or physical conduct of a sexual nature by any employee constitute sexual harassment when:

1. Submission of such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing, or
2. Submission to, or rejection of, such conduct by an individual is used as the basis for employment or academic decisions affecting that individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's performance, or creating an intimidating, hostile, or offensive environment, or
4. Inappropriate relationships exist between employees or
5. Inappropriate relationships exist between an employee and a student or other individual receiving OTC services.

F. Authority

This policy is maintained under the authority of the Vice Chancellor of Administrative Services

2.3 INAPPROPRIATE RELATIONSHIPS (policy 3.52)

Professional conduct is to be demonstrated at all times by all faculty and staff members. Actual conflicts or the appearance of conflicts of interest of any type must be avoided.

Amorous relationships including sexual or romantic interactions with subordinate students or subordinate employees shall be considered a conflict of interest and are not acceptable. Consensual behavior is not a validation. Sexual activity on college property is inappropriate.

Employees engaged in conduct as previously described are subject to disciplinary procedures. Such actions may or may not be considered to be sexual harassment as outlined in policy 3.40 Sexual Harassment.

2.4 SEXUAL HARASSMENT TRAINING POLICY

To promote a work and educational environment free from sexual harassment, the College has utilized an online “Preventing Sexual Harassment” training program. New employees will be required to successfully complete this program before his/her first payday. Current employees will be required to successfully complete the refresher training program annually. To successfully complete this program, a score of 80% or higher is required. Upon completion, the employee must print, sign, and deliver his/her *Certificate of Completion* to the Office of Human Resources.

2.5 DISABILITY- REASONABLE ACCOMMODATION

OTC is committed to making reasonable accommodations in policies, practices, or procedures when such modifications are necessary for services or accommodations for legally protected individuals with disabilities. The College also is committed to taking such steps as may be necessary to ensure that no such individual with a disability is excluded, denied services, or segregated, or otherwise treated differently than other individual because of the absence of auxiliary aids and services. Such modifications, auxiliary aids, and services cannot fundamentally alter the requirements essential to the position. Auxiliary aids and services cannot result in undue burden to the College. An employee who requests reasonable accommodation for disability should contact the Office of Human Resources so that an evaluation can be made to determine appropriate accommodations. Every effort will be made to handle requests for disability accommodation sensitively and to protect the confidentiality of the information shared with us.

2.6 DRUG-FREE WORKPLACE

Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. OTC complies with the federal Drug-Free Workplace Act. Each employee is responsible to help ensure a drug-free, healthful, safe and secure work environment. The unlawful manufacture, distribution, possession, or use of a controlled substance on College premises or while conducting College business off premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. Penalties are covered under Article III, Section 3.32; paragraph B of the Ozarks Technical Community College *Policies and Procedures Manual*. Any employee convicted of violating a criminal drug statute must notify the Office of Human Resources within five days after the conviction. Failure to report the conviction may result in corrective action up to and including termination of employment.

2.7 ALCOHOL/DRUG ABUSE POLICY

Alcohol or drug testing may be required when:

- A reasonable suspicion exists that you are under the influence of any controlled substance, drug, or alcohol while on the job or in the workplace; or,
- When an accident, near miss, or incident occurs in which safety precautions are violated or careless acts are performed, and a reasonable suspicion exists that you are “under the influence”.

Alcohol or drug testing will involve an initial screening test at a qualified laboratory. If that test result is positive, a second test will be conducted using the original sample. Test results will be kept as confidential as possible. A positive test is grounds for corrective action up to and including termination of your employment, and may have

legal consequences.

Refusal to submit to testing when a reasonable suspicion has been established may result in corrective action up to and including termination of employment.

In order to promote a safe, productive, substance abuse free workplace, the College reserves the right to inspect employee clothing, personal vehicles on College property, packages, lunch boxes, containers, and other objects brought on College property that might conceal alcohol, illegal drugs and/or other inappropriate materials. Any employee who does not consent to and fully cooperate with such inspections is subject to corrective action, up to and including termination of employment.

OTC will assist employees with chemical dependencies (alcohol or drug) who voluntarily seek treatment and/or rehabilitation. Reasonable efforts will be made to ensure that any disclosures made to the College concerning employee participation in any drug or alcohol counseling or rehabilitation program will be treated confidentially.

The College is not obligated, however, to continue to employ a person whose job performance is impaired because of drug or alcohol use, nor is it obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance was below standard. Continued employment or re-employment of a person with chemical dependencies is at the sole discretion of the College.

The policy on treatment and rehabilitation is not intended to compromise the College's position regarding employees who violate the guidelines regarding the use of alcohol and/or drugs at work as described above. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency. See also OTC Policy 3.47 Drug Free Workplace.

2.8 BREAKS - REST PERIODS

The College does not have a formal rest period policy for its employees. Each department is responsible for establishing its own break policy based on the needs of the department. Rest periods, if permitted by department, are to be **limited to 15 minutes, twice per day (one during each four hours worked)**; with departments ensuring that adequate staff is on duty at all times.

2.9 TOBACCO - FREE CAMPUS POLICY

OTC is committed to providing its students and employees a safe and healthy environment. In view of this commitment, the College is a tobacco free institution. No consumption of tobacco will be allowed on any College property or in any College facility. The institution will display notice of the tobacco free policy at all College locations.

2.10 PRIVACY OF INFORMATION

Privacy is recognized internationally as a fundamental human right. Global advancements in information technology and communications continually introduce new risks and threats to its protection.

Forms encompass (1) privacy of communication or freedom from monitoring (2) personal physical and psychological privacy, (3) privacy of space or freedom from surveillance, and (4) privacy of information, which is the collection, use, and disclosure of personal information by others.

Internal computer usage may be monitored. See OTC Information Technology Resources Acceptable Use Policy 2.50. Institutional surveillance may take place in those areas where there is not an expectation of privacy.

As applied to personal data, privacy is generally interpreted to mean that an individual should have control over who has access to his/her personal information, and how that information will be used.

Internal and external access to social security numbers and other personal data will be granted only on the basis of the individual or organizational "need to know," which is directly related to that individual's job responsibility or the organization's function and purpose. See also Policy 6.13 Student or Employee Lists.

Information will only be released in those instances that are within the guidelines established by applicable laws or regulations. Benchmark legislation will include FERPA, HIPPA, and the Missouri Revised Statutes. See also OTC Computer Security Policy 4.02i.

Under the Family Educational Rights and Privacy Act (FERPA), all students have the right to review his/her official College records, to request amendment of those records, and to restrict his/her name from certain reports.

The Health Insurance Portability and Accountability Act (HIPAA) protect the appropriate release of personal health information to third parties.

Per the Missouri Revised Statutes, Section 610.035, “state entities shall not publicly provide disclosure of social security numbers unless such disclosure is permitted by federal law, federal regulation or state law, or unless such disclosure is authorized by the holder, or unless disclosure is for use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state or local court or agency, or before any self-regulatory body. Included actions are service of process, investigation in anticipation of litigation, the execution or enforcement of judgments and orders, and per orders of federal, state or local courts.”

2.11 MEDICAL INFORMATION

Medical information is considered confidential. Every effort will be made to maintain the confidentiality of medical information divulged by employee; however, absolute confidentiality cannot be guaranteed when such information is shared with anyone other than the Human Resources office. Supervisors, managers, and employees are expected to respect the sensitivity of medical information and to maintain confidentiality when they become privy to such information. Employees who disclose another employee’s confidential medical information are subject to corrective action up to and including termination of employment.

2.12 PERSONNEL RECORDS

The College maintains a personnel file for each employee. Personnel files contain basic personal information (e.g. name, address, phone number) and employment-related information such as copies of performance appraisals. Your personnel file is the official record of your employment with us.

The policy of the Office of Human Resources pertaining to the release of information and access to records safeguards against improper disclosure and protects employees’ rights to privacy. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, and records of hiring, firing, disciplining or promoting an employee of the College are and shall be considered closed records pursuant to 610.021 (3) R.S.Mo., except as provided in those sections or other law or specific action of the Board of Trustees, including this policy.

The following persons shall have the right of access to review an employee’s personnel file:

- The employee who is the subject of the file.
- An attorney or designee of the employee.
- Supervisory employees who are considering the employee for promotion, transfer, reassignment, demotion, dismissal or other personnel actions.
- A College attorney or other appropriate officer when needed in connection with any action brought by the employee against the College.
- Other persons acting in compliance with federal, state or local laws (e.g. auditors, equal employment opportunity investigators) or in response to a lawfully issued subpoena or court order.
- College supervisory or administrative personnel who can establish a justifiable need.

Employees may not access letters of reference or recommendation, managerial records and civil, criminal or grievance investigation records.

Employees wishing to review his/her personnel file, need to contact the Human Resources office to arrange a time to review the file during normal work hours. The file shall be reviewed in the Office of Human Resources in the presence of a member of the Office of Human Resources staff. Employees may request photocopies of any document in their personnel file that contains his/her signature. Employees have the right to insert concise information in their files in response to material they deem unfair or incorrect. Personnel files are the property of the College and, therefore, cannot be removed from the Human Resources office.

2.13 ACCESS TO PERSONNEL RECORDS BY FORMER EMPLOYEES

Former employees are not entitled to access their personnel records, nor may they access the personnel records of any other employee whether formerly or currently employed.

The College may charge a fee to parties who request and are authorized to receive copies of employee files.

2.14 BACKGROUND REPORT

In connection with the employee's application for employment, OTC will implement a background report as part of the process of considering candidacy as an employee. If a current employee applies for a different position, a new application for employment must be submitted. A new background report may be implemented, even if the employee may have had one done when he/she were originally hired to work at the College.

2.15 COLLEGE FILES, FACILITIES AND EQUIPMENT - PERSONAL USE OF PHONE, FAX, AND COMPUTERS

The security of College property is vital to the College's future success. All employees share responsibility for ensuring that College property is protected. College property includes not only desks, computers, tools, equipment, and other tangible items but also intangible property such as proprietary information.

To protect data and software on College computers, employees are prohibited from loading personal software onto College computers without express permission of the Chancellor. Computer equipment must not be used for personal business. Computers are for College business only. You may not copy College software for personal use.

College stationery must not be used for personal correspondence since any type of communication sent out on OTC stationery might be considered an official communication.

2.16 E-MAIL

E-mail is also considered College property and is to be used for College business only. Conveying personal messages that are not work-related via e-mail is considered inappropriate and must be avoided. Employees inappropriately using e-mail for personal purposes are subject to corrective action up to and including termination of employment. Employees should remember that e-mail messages do not always remain private and use discretion when using e-mail to communicate sensitive matters.

2.17 MANAGEMENT ACCESS TO WORK FILES, COMPUTER AND WORK AREA

During the course of conducting normal business, management may, from time to time, review any employee's manual work files or access computers, desks or other storage areas with or without the employee's knowledge. Facsimile transmissions coming into the office are often accessible to other employees. Employees should be advised that personal information may not remain confidential and that privacy cannot be assumed when College files, facilities, and/or equipment are used for personal business.

2.18 USE OF THE INTERNET

OTC is on-line with the Internet. This allows state-of-the-art access to information needed for effective performance. Excessive use of the Internet can be costly. Accordingly, the Internet must only be used when essential to performing one's work. Recreational "surfing" of the Internet or using it for personal use is inappropriate. Employees using the Internet for personal use are subject to corrective action up to and including termination of employment. Employees will be required to reimburse OTC for personal Internet charges that may be incurred.

2.19 PERSONAL TELEPHONE CALLS

Personal telephone calls should be limited both in time and nature so as not to interfere with job responsibilities. They should be confined to emergencies.

2.20 VOICE MAIL

The College has installed a voice mail system for efficiency and to better serve the public. From time to time, especially during an employee's vacation, business trips, or leaves of absence, a supervisor, manager, or another employee may listen to voice mail messages to ensure attention to necessary business. Employees should not expect messages left on voice mail to be totally private.

2.21 PERSONAL USE OF COLLEGE SUPPLIES, TOOLS AND EQUIPMENT

Personal use of College supplies and equipment without express approval from your supervisor or the Chancellor is strictly prohibited. This includes using computer equipment and/or software for personal use.

Using the College postage meter for personal mail is also strictly prohibited. Additionally, personal mail should not be delivered to the College.

College property includes, but is not limited to, equipment, tools and supplies, and originals or copies of:

- Information stored on magnetic media and in digital form;
- Computer software;
- All written material such as computer code and documentation;
- Work notes;
- Project plans;
- Student records;
- Management reports;
- Proposals;
- All magazines, journals, books, and other material for which the College paid;
- Business-related letters; and
- Any and all other work which is the result of employment with OTC.

College tools and equipment should be used with caution so as not to injure anyone. Employees are expected to operate such items in accordance with the manufacturer's specifications so that the tools and equipment will not be damaged. When in doubt as to how to operate something, please refer to the manufacturer's user's manual or ask your supervisor for assistance. Immediately inform your supervisor of any tool or equipment malfunctions.

Generally, tools and equipment must be used only on College premises, except when necessary to complete work or when traveling on College business. Before removing tools or equipment from the premises, secure authorization from your immediate supervisor.

In some cases, tools or equipment may be assigned, which are necessary to properly perform job duties. Employee may be asked to sign for receipt of such items. It is possible that the employee may be held financially responsible for any lost tools or equipment which has been issued.

If damage occurs to any tools or equipment, immediately inform supervisor so that repairs and/or replacement can be arranged.

Upon termination of employment, all tools and equipment issued to employee must be returned to the College. Failure to do so could result in legal action against you.

2.22 CONFIDENTIALITY

It is possible that assignments may involve work of a confidential nature. In some or all of its aspects work may involve contact with confidential information of the College or student records. Employees are expected to protect the interests of the College and its students by not disclosing confidential information. Information which may be considered confidential or proprietary includes:

- Information about current or future building plans (other than that which is released to the general public by the Chancellor of the College);
- Salaries of other employees;
- Student records, lists and files;
- Computer records;
- Any information which may be used against the College or its students.

As a condition of employment, the employee agrees that he/she will not, except as required in the conduct of the College's business or as authorized in writing by the Chancellor of the College, publish or disclose, either during his/her term of employment or any time thereafter, any confidential information relating to the College's business that may in any way acquire by reason of employment by the College. Failure to adhere to these standards may result in corrective action up to and including termination of employment.

Employees are expected to respect the confidence placed in OTC by its students. The professional relationship between each student and OTC requires that there be no disclosure of information about the internal affairs of either party to others. This includes response to inquiries from salespeople, the press, or the public. Should anyone make inquiries about our relationship with, or the internal affairs of a student, immediately report the inquiry to his/her supervisor.

To further protect the interests of the College, permission from supervisor must be obtained before making a public presentation as a representative of the College.

Employees are expected to return all items containing proprietary information to OTC prior to leaving employment. Failure to do so could result in legal action against employee by the College or its students, as continued possession of such items could be damaging to either party.

2.23 CHANGES IN PERSONAL INFORMATION

To ensure that needed records are accurate and up to date, an employee must notify Human Resources office whenever changing the following:

- Name, address, or telephone number;
- Marital status or number of dependents (for tax withholding and insurance coverage), or beneficiary for life insurance;
- Emergency contact's name, relationship and daytime phone;
- Education and training completed.

2.24 INSTITUTIONAL CODE OF CONDUCT

Members of the College community are responsible for sustaining the high ethical standards of the institution. College actions are to reflect the interests of all internal and external stakeholders and are to support compliance with all legal, social, and professional responsibilities.

The code is to represent a shared statement to be used as a resource for daily and long-term decisions and actions, and it applies to all individuals who are associated with the College community. Community members include faculty, staff, students, volunteers, outside contractors, and board members.

Adherence to the code involves communicating suspected violations of applicable standards, policies, or laws. Speaking to concerns about adverse behavior is a service to the College, and the reporting of activities is not to jeopardize employment.

Reporting should normally be made initially through standard management levels. Other contact offices include Human Resources office, safety and security, and compliance and internal audit. Confirmed instances of violation are subject to disciplinary action.

COMPLIANCE

Business should be conducted in compliance with all applicable laws, regulations, and internal policy and procedures. Examples include donor gift restrictions, health and safety, Human Resources office, intellectual property, privacy, research, and general risk management.

Those individuals belonging to professions are expected to adhere to the codes specific to their discipline, in addition to complying with College policies and procedures.

Agreements on behalf of the College should only be entered into by individuals who have authority that has been appropriately delegated.

CONFIDENTIALITY AND PRIVACY

Information and privacy should be respected and protected.

Services of the Office of Public Information and Publications include the facilitation and providing of news releases, statements, and images to the news organizations for reproduction in the news media. Only the Director of Public Information, the Chancellor, or his/her designees may release public information.

The internal or external release of personal information throughout the College should only be in those instances that are within the guidelines established by applicable laws or regulations. Benchmark legislation will include FERPA, HIPAA, and the Missouri Revised Statutes. See also OTC Computer Security Policy 4.02i.

Institutional surveillance should only take place in those areas where there is not an expectation of privacy.

CONFLICT OF INTEREST/CONFLICT OF COMMITMENT

Stakeholders with other professional or financial interests should disclose them in compliance with applicable conflict of interest/conflict of commitment policies. See Also Policy 1.09.

FINANCIAL REPORTING

All entries into College records should accurately reflect each transaction.

Fraud is a misrepresentation of a fact by words or conduct, or the concealment of that which should be disclosed, which is intended to deceive another so that ethical or legal injury is a result of the action or omission.

Acts of fraud of any kind are expressly prohibited. Acts may be illegal or unethical and may take place for the benefit of or to the detriment of individuals and the organization and by persons outside as well as inside the organization. Fraudulent acts may include, but are not limited to:

- Alteration or falsification of documents.
- Claims submitted for services or goods not actually provided to the organization.
- Concealment, destruction, misappropriation, or removal of assets. Note that assets include proprietary information, as well as money and tangible property.
- Intentional, improper representation or valuation of transactions, assets, liabilities, or income.
- Misrepresentation of facts.
- Prohibited business activities that violate government statutes, rules, regulations, or contracts.
- Providing or accepting material benefits that are intended to unduly influence business decisions.

HUMAN RESOURCES OFFICE

Each community member should be treated fairly and with respect. The College prohibits discrimination and harassment and provides equal opportunities for all community members regardless of race, color, religious creed,

national origin, ancestry, sex, sexual orientation, veteran status, marital status, age, and disabilities that include HIV and AIDS, and medical conditions.

INTEGRITY AND QUALITY

In those instances where business activities and other conduct of community members are not governed by specific laws or regulation, rules of fairness, honesty, objectivity, and respect for the rights of others must govern conduct.

Decision making must reflect a commitment to long-term benefit and sustainability as opposed to making improvements in short-run performance designed to provide the appearance of unrealistic immediate gain.

Business conduct should not be damaging to the reputation of the institution.

2.25 USE OF COLLEGE RESOURCES

Resources should be used for business purposes on behalf of the College and should not be used for personal use except in a manner that is incidental and reasonable.

Employees are expected to adhere to the highest standards of personal, professional, and business ethics. Employees should always use common sense and good judgment when representing the College. Honesty, respect and care in dealings with others on the job, in performing our duties and in dealings with students, patrons and visitors should be standard behavior. It is important to avoid even the appearance of unethical behavior in all business relationships. Unethical behavior will not be condoned. Please contact your supervisor or the Vice Chancellor of Administration and Business with any questions or concerns you have regarding business ethics at OTC. Engaging in unethical conduct may result in corrective action up to and including termination of employment. “Unethical conduct” includes but is not limited to:

- Engaging in business conduct which is damaging to the College’s reputation;
- Disclosing or misusing confidential or proprietary information belonging to the College or its students;
- Promising or giving something of value to anyone doing or seeking to do business with the College in order to influence them;
- Accepting gifts, entertainment, services, or other benefits where the purpose is to unduly influence business decisions;
- Selecting vendors based on non-business reasons, such as personal or former non-business relationships;
- Directing business to a relative, friend, or company in which you or one of your family members has a direct or indirect financial or personal interest;
- Representing or discussing College affairs with the media without proper authorization;
- Undermining administrative decisions, unless the decisions are perceived to be illegal or dishonest;
- Using College confidential information, facilities and supplies, and/or fixed assets for personal gain.

2.26 PERSONAL APPEARANCE (policy 3.53)

- A. It is the expectation that when representing the institution, employees should present a professional image that reflects good judgment in choice of clothing, grooming, and personal cleanliness.
- B. Wrinkled, frayed, or revealing clothing is inappropriate, and employees should present a neat and clean appearance.
- C. A supervisor may further establish reasonable dress requirements appropriate to the jobs performed, and may determine the need for periodic updates. Employees should be informed of any standard

practices that may be required, and if a supervisor feels that an employee's appearance is inappropriate, he or she may be asked to leave the workplace until properly dressed or groomed. Under such circumstances the employee will not be compensated for the time away from work.

- D. Supervisors should be consulted if there is a question regarding appropriate dress or appearance. When necessary, reasonable accommodation may be made to an employee with a disability.
- E. Employees should recognize that the College is a public entity and that personal appearances influence students, and are a reflection on the College values and all who support the institution.

2.27 WORK AREA APPEARANCE (policy 3.54)

A personal interest should be taken to ensure that work areas are kept neat and orderly. Employees should recognize that the College is a public entity and that personal behavior and work area appearances influence students, and are a reflection of the College values and all who support the institution.

2.28 HOUSEKEEPING

Good housekeeping by all of us is important to maintain a safe and healthy work environment. It means better and more pleasant working conditions, helps reduce accidents, adds to the efficiency of our operation, and contributes to the quality of our work and the services we provide.

The appearance of our workplace and our employees is very important to our efficiency and to conveying the right message to our students and prospective students.

- Empty coffee cups, dishes and other kitchen items should be removed from desks and washed at the end of each day. DO NOT stack dishes in the sink!
- The break room should be kept neat and tidy at all times. This is everyone's responsibility.
- Conference areas should be reorganized immediately after each meeting. It is the responsibility of the people meeting to leave the conference room in good condition for the next group.
- Recyclable materials such as computer papers, soft drink cans, etc., should be put in the appropriate recycling containers.
- Employees are encouraged to conserve energy. Turn off lights when not needed, close doors in heated or air conditioned areas, turn down the heater/air conditioner one-half hour before the end of the work day.
- Eating areas and microwave ovens should be thoroughly cleaned immediately after eating, before returning to work.
- Shut off lights and equipment and lock up the office when you are the last one to leave at night.

2.29 ATTENDANCE AND PUNCTUALITY

Individual work efforts are very important to the College's overall success. Employees are expected to report to work regularly and at the agreed time. Any employee who will be absent or late should notify his/her supervisor, a minimum of 30 minutes after the start of their designated shift.

2.30 REPORTING ABSENCES

Employees who are absent from work for any reason must directly contact his/her supervisor as soon as circumstances allow, but no more than 30 minutes after the start of their designated shift. When an absence is reported as an illness, and misuse is suspected, documentation from a physician which validates illness or injury may be requested at any time by the supervisor or the College Director of Human Resources. The College Director of Human Resources may require the employee to produce a physician's statement setting forth the nature of the illness and a recommendation for continued absence. See also Policy 3.15 Sick Leave.

2.31 JOB DUTIES AND WORK ASSIGNMENTS

OTC's environment is educational and quality oriented. To successfully meet these commitments, we need the shared energies of all employees. Accordingly, consistent effort is required from everyone.

Your supervisor is available to offer advice and guidance regarding the completion of your work and, as a result, needs to hear your questions, suggestions, and constructive ideas.

Mutual understanding is important to doing a quality job; cooperative attitudes lead to productive teamwork. You are encouraged to ask questions and offer ideas which you feel contribute to the College mission.

To ensure that our students are provided with the best service possible, work assignments are based on matching employee qualifications with College needs. From time to time it may be necessary to reassign you to a different department, work team, or job responsibility. In addition to routine job duties, you may be assigned special projects which may include working at a different location. Work assignments are at the sole discretion of College management.

We also reserve the right to set work schedules as deemed necessary to maintain quality student service and efficient day-to-day operations. This may require altering starting and ending times and/or total hours scheduled to work.

2.32 WORK HOURS

Work hours will be established by each supervisor as needed to meet College and student needs. From time to time additional hours ("overtime") may need to be worked (*e.g.* to properly support students, etc.). Regardless of position, employees are required to work additional hours on an "as needed" basis.

Non-exempt (hourly) employees will be paid overtime as outlined under Overtime Compensation. Exempt (salaried) employees are paid a base salary for performance of his/her duties as opposed to payment for actual time worked. Accordingly, exempt employees are **not** eligible for overtime pay.

During work hours, employees are expected to be fully prepared to work, fully exercise his/her responsibilities, and perform his/her duties in a thorough, professional, and efficient manner.

2.33 EQUAL EMPLOYMENT OPPORTUNITY DISABILITY

We are an Equal Opportunity Employer (EOE). Accordingly, equal opportunity is promoted in the areas of recruitment, employment, training, development, transfer, and promotion. Employment practices are without regard to race, color, religion, creed, gender, age, disability or medical condition, national origin, veteran status, and all other categories protected by federal and state anti-discrimination laws.

Additionally, in keeping with the spirit of the Americans with Disabilities Act and the religious discrimination provisions of Title VII of the Civil Rights Act, we will make appropriate accommodations for employees with qualified disabilities or religious needs whenever possible as long as the accommodation does not cause the College, its students or other employee's undue hardship.

2.34 RELIGIOUS ACCOMMODATION

Time off without pay may be allowed to observe religious holidays that are not College holidays. Requests for time off for bona fide religious observances will be considered on a case-by-case basis. In order to provide for reasonable accommodation, any request for time off to observe a religious holiday must be submitted at least three weeks before the date of the planned absence. If vacation time is available, the employee may use it for the observance of such holidays; otherwise, such time off is without pay.

NOTE: This policy applies only to religious holidays. It does not apply to regular weekly days of worship. If an employee's regular work schedule falls on his/her worship days, generally he/she will be required to work as scheduled. Questions regarding work schedule/worship day conflicts should be directed to Human Resources office.

2.35 REPORTING DISCRIMINATION

If an employee feels that he/she is a victim of race, color, gender, age, or disability discrimination, or discrimination against any other protected category, **immediately** report it to the OTC contact person, *Alice Ramey, College Director of Human Resources (417-447-2631)*, even if the matter has been discussed directly with the individual(s) involved. The following information needs to be provided when reporting discrimination:

- 1) Date(s), time(s), and location(s) of the incident(s) that took place;
- 2) Description of each incident: *e.g.* was any physical contact made; what was said and/or done? etc.
- 3) Name(s) of anyone present during each incident;
- 4) Anyone with whom the incident(s) has been discussed.

All complaints of discrimination will be investigated and the results of the investigation will be reported to the complaining party. Investigation of a discrimination complaint may include, but is not limited to, interviewing the complaining party as well as other employees necessary to obtain sufficient information upon which to make an assessment of the situation. While OTC will make every effort to be sensitive to privacy issues, in the course of an investigation, relevant information may be discussed with appropriate parties on a need-to-know basis.

Retaliation against an employee who complains of discrimination is strictly prohibited and will not be tolerated. OTC is committed to investigating and correcting any form of discrimination taking place. The College is committed to addressing these issues within the organization, and believes the matter can effectively address such matters internally when employees advise the College of a problem in this area.

2.36 USE OF PRESCRIPTION MEDICATIONS WHILE WORKING

If you are using prescription or over-the-counter medications that may impair your ability to perform your job safely, you must report such use to your supervisor before starting or resuming work. If you discover that such medication impairs or adversely impacts your ability to work, immediately stop working and report your condition to your supervisor. Working while affected by prescription or over-the-counter medications is dangerous. Consult with your physician if you are impaired or affected by prescription or over-the-counter medications.

2.37 WEAPONS ON CAMPUS OR AT COLLEGE SPONSORED ACTIVITIES (policy 4.02 t)

With the exception of licensed law enforcement officers, all persons including those licensed to carry weapons, concealed or not, are prohibited from possessing at any time a handgun, firearm, knife (blade length exceeding two and a half inches) or other weapon, concealed or visible, on property or in a vehicle owned, leased, or used by the college for classes or activities.

2.38 VIOLENCE OR OTHER INAPPROPRIATE BEHAVIOR

Violent behavior in the workplace is a serious matter. Such conduct places the safety and health of employees and students in jeopardy and will not be tolerated. Employees engaging in such activities will be subject to appropriate corrective action up to and including termination of employment, and perhaps legal action from the victim(s) of their conduct.

Violent and inappropriate behavior includes but is not limited to:

- Threats of any kind;
- Threatening, physically aggressive or violent behavior, such as intimidation, or attempts to instill fear in others;
- Verbal behavior including belligerent speech or excessive arguing;
- Sabotaging, defacing, or causing physical damage to College facilities and or property;

- Using **any** object in a threatening or weapon-like manner.

INSPECTION OF EMPLOYEE PERSONAL PROPERTY FOR POSSESSION OF WEAPONS

In order to promote a safe and violence-free workplace, we reserve the right to inspect employee clothing, personal vehicles on campus property, packages, lunch boxes, containers, articles in such areas, and other objects brought onto campus property that might conceal weapons. Any employee who does not consent to and fully cooperate with such inspections is subject to corrective action up to and including termination of employment.

WHAT TO DO IF YOU ARE THREATENED, OR ARE A VICTIM OF WORKPLACE VIOLENCE

If you are threatened or the victim of a violent act in the workplace, or if you observe behavior that is violent or potentially violent (as described above), immediately report it to your supervisor or any other member of management AND Human Resources office. This includes threats or violent acts by co-workers, students, visitors, or others who have come on to the premises. If you receive a suspicious package, please notify security.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. We will maintain confidentiality when possible (*i.e.*, release information only to those with a business need to know). We will not tolerate retaliation against any employee who reports workplace violence.

THREATS OF VIOLENCE BY OUTSIDE THIRD PARTIES

Unfortunately, sometimes non-employees may try to bring his/her personal disputes into the workplace. To protect the safety of all employees, please **immediately** report to your supervisor or to Safety and Security any personal situations which may bring violence to the workplace. Such advance warning allows the implementation of appropriate measures to protect employees and students. Employees who report potential workplace violence from a domestic or personal dispute do not need to fear corrective action or retaliation.

2.39 INCLEMENT WEATHER SCHOOL CLOSINGS

Ozarks Technical Community College is committed to providing its employees a safe environment in which to work. Each employee must make it their personal responsibility to stay informed regarding College closures or cancellations.

Communication regarding college closures or class cancellations will be as follows:

1. The College website is the main point of communication regarding closures or cancellations.
2. Monitor local radio and television stations for announcements.
3. A notification will be sent via the College's text-messaging system. (To receive a notification you must be registered; Access your **MyOTC** account, click on the "**Emergency Notification**" Tab.)
4. A recorded message will be left on the College's phone system.

When closures or cancellations are necessary, the subsequent guidelines will be followed:

When the College is closed:

- Unless otherwise notified, full-time faculty, adjunct faculty and staff are **not** required to report to work.
- Essential personnel designated by their Vice-Chancellor are expected to report to work.

For those employees unsure of their status as essential personnel, please contact your supervisor.

The primary concern during inclement weather is the safety of students and staff. Good judgment is essential in the individual's decision whether to travel during potentially hazardous conditions.

2.40 SUPPLEMENTAL EMPLOYMENT (policy 3.45)

The primary obligation of college employees is owed to the college.

Supplemental employment may be employment outside the college, or overloads within the college. The most desirable type of supplemental employment promotes professional development and enhances regular job performance. Employees may accept a reasonable amount of supplemental employment beyond the normal workweek. Employees may not engage in any supplemental employment which interferes with their college work or that negatively impacts regular job performance. Administration has the prerogative to limit supplemental employment.

No college time, facilities, supplies, or equipment shall be used in conjunction with employment outside the college.

2.41 RECRUITMENT FOR VACANT POSITIONS/NEW EMPLOYEE REFERRAL PROGRAM

The immediate filling of any vacant position is generally imperative to ensure that students are well served. Therefore, it is our practice to simultaneously recruit both within and outside the College. Employees desiring new opportunities within the College or who wish to be considered for future transfer to a new position should contact their supervisor or the Human Resources office. The College encourages existing employees to refer candidates for future employment.

2.42 TRANSFERS WITHIN THE COLLEGE

Employees interested in applying for a different position must submit the same materials required of external candidates, which includes an *OTC Application for Employment*.

If a current employee applies for a different position a new background report may be implemented, even if the employee may have had one done when he/she was originally hired by the College.

An employee who has been counseled and issued an Employee Warning Notice or is currently on a Probationary Employment Agreement due to a disciplinary action is not eligible for transfer. New employees who have not completed one year of service in their present position are generally not approved.

If a current employee has been selected to assume a new position, the College strongly discourages any other transfer for that employee until one year of service in the new position has been completed.

2.43 EMPLOYMENT CLASSIFICATIONS

Positions are classified as either exempt or non-exempt according to criteria set forth in the Federal Fair Labor Standards Act and applicable state laws. A position's status is determined in conformance with these laws based on job duties performed, following regulatory guidelines.

- Exempt (salaried) employees are in occupations which are executive, professional, technical, or supervisory.
- Non-exempt (hourly) are generally those positions which are not executive, professional, technical, or supervisory. Non-exempt employees are paid on an hourly basis, including overtime pay.

We further classify employees as:

- Full-time employees are those employees who work a regular schedule of at least 40 hours each week. Full-time employees are eligible for all benefits offered by the College.
- Part-time employees are those employees who are hired directly by the College to work a schedule of less than 20 hours a week. They are not eligible for benefits offered by the College. Part-time employees hired from an employment agency or leasing firm are employees of the agency/leasing firm, not of the College.

2.44 EMPLOYMENT OF RELATIVES (policy 3.28 B)

Family Members: Two or more members of the same family may be employed by the college provided that the Chancellor shall have approved such employment and that no member of the family as defined in this section is in the direct line of supervision relative to the other family member. In this policy, “member of the same family” means grandparents, father, father-in-law, mother, mother-in-law, brother, sister, brother-in-law, sister-in-law, spouse, child, step-child, grandchild, or other persons living in the same household.

2.45 MEDIA RELATIONS

If contacted by the press about work-related matters, refer the media representative to the Public Information Officer.

2.46 SOLICITATION

The College wants to ensure that employees are not disturbed at work by others who wish to solicit for his/her own business or membership in organizations. The following is our position regarding solicitation:

“There shall be no solicitation of employees or students for any purpose during working time or on College premises. Distribution of literature and notices during work time or on College premises is not allowed.”

Working time includes all time during which you are being paid to perform duties for the College, excluding meal periods.

Persons who are not employees of the College will not be permitted to come upon or remain on the premises for the purpose of selling products or services, making solicitations, posting or distributing cards, literature, notices or other paper.

For privacy and security reasons, employees are not allowed to give out other employee’s addresses, phone numbers and/or other information about employees or former employees. Requests for such information should be directed to the Human Resources office.

2.47 DIRECT REIMBURSEMENT FOR PERMISSIBLE EXPENDITURES (policy 6.12)

Employees of OTC will be reimbursed for expenditures incurred on behalf of the college. Reimbursement shall be in accordance with Board of Trustees policy and administrative procedures. No deviations shall be made except in those extenuating circumstances approved by the College Chancellor or designee.

Faculty and staff are encouraged to attend meetings and conferences that will be professionally rewarding to the individual or the College, within budgetary limitations. All employees must obtain appropriate approval before scheduling travel arrangements.

Expenses for an accompanying spouse or others are not reimbursable from the College. Employees are encouraged to use reasonable economies.

For any travel funded by grant or other funding source with different restrictions, the more restrictive policy will be followed.

A. Transportation

1. The college shall reimburse the employee for the mode of transportation which is the most economical, considering the time and convenience of the transportation. The time of departure or shorter absence shall be an important factor to the College. Air travel reimbursement shall be for coach or economy class. Car rental, while attending the business activity, may be an appropriate expenditure.
2. When an employee drives his/her automobile on college business, mileage reimbursement will be at the rate established by the Board of Trustees. The College will calculate all mileage from the primary work site to the business activity and returning to the work site, unless actual mileage was less.

3. Employees, when assigned to more than one location, may be reimbursed for the additional mileage incurred over and above the normal round trip from home to the primary work site.
4. Mass transit, shuttles, taxis, bridge and road tolls, or parking charges incurred while on official business may be claimed when properly itemized on the travel expense voucher. Original receipts must be submitted for reimbursement, wherever possible.

B. Lodging

The number of nights is limited to those necessary for attendance at the conference or business activity. A reasonable number of additional nights will be allowed if necessary to take advantage of discounted airfares. An original, itemized receipt for all lodging must be attached to the travel expense voucher. Hotel receipts must show a zero balance.

C. Meals

Reasonable expenses for meals and tips incurred during the period of time while on college business and associated travel are reimbursable. The purchase of alcoholic beverages is not reimbursable.

Original, itemized receipts for each meal must be obtained and attached to the travel expense voucher, with the limited exception that original receipts are preferred, but not required, for a breakfast costing \$8 or less, a lunch costing \$12 or less, and a dinner costing \$15 or less. As approved by the College Chancellor or Trustee Chair, credit card and meal receipts will be accepted and paid for reimbursement. Meals charged on the lodging statement must be accompanied by original, itemized, meal tickets, with the same narrow exception detailed in the previous sentence. When a meal is included as a part of conference or event registration fees, additional reimbursement for such a meal is not appropriate.

D. Other Permissible Expenditures

All other reimbursable expenditures such as conference fees, baggage and service fees, business related telephone calls and business related internet access, etc., shall be listed on the travel expense voucher.

Miscellaneous

Air travel may be utilized when cost effective and appropriate considering the amount of absence and distance involved. If the departure city is not local, total airfare plus mileage reimbursement is limited to the amount that would be incurred when departing from the local Springfield/Branson, Missouri Regional Airport.

A quotation from the college travel agency may be obtained by the employee. The current source is Great Southern Travel, 417-888-4488. Alternately, quotations may be obtained by the employee from an internet provider or an airline. If this option is utilized, it is recommended that a benchmark quotation be obtained and included from Great Southern Travel.

Accidents of any type that occur during the time that personnel are on travel status should be reported to the Vice Chancellor of Administration and Business.

Car rental while attending or traveling to and from a business activity may be appropriate. Compact or economy cars should be utilized unless traveling with three or more employees. Insurance is provided through college liability coverage for rental cars used for college activities, and an insurance identification card is available from the office of the Vice Chancellor of Administration and Business. Optional coverage, such as collision damage or personal injury is unnecessary within the continental United States.

Baggage fees, individual and group gratuities, and business related internet fees and telephone calls may also be submitted if documented.

EXPENSES NOT COVERED

The following expenses are not reimbursable:

- Air fare for chartered or private aircraft
- Airline club memberships or airline headphones.
- Alcoholic beverages.
- Entertainment.
- Fitness or health club usage fees.
- Food charges incurred as a substitute for meals provided during a paid business activity.
- Laundry and dry cleaning unless travel exceeds five business days.

2.48 EXPENSE REPORTS

All expenses must be submitted on a College expense report form and submitted to his/her supervisor for approval. Expense checks are issued once a week. Employees will receive reimbursement within two weeks from the time his/her supervisor submits the approved expense report to the Finance Office.

Reviewing and approving expense reports require a significant amount of time. The employee needs to review his/her expense report for accuracy and required receipts before submitting them. Expense reports which have been filled out incorrectly (*e.g.* illegible entries, missing receipts, etc.) will be returned to employee for correction and will then be processed on the next expense check cycle. To expedite the approval process, any item outside the established guidelines should be accompanied by an explanation.

2.49 POLITICAL ACTIVITIES (policy 3.43)

As an individual, each employee retains all the rights and obligations of citizenship provided in the Constitution and laws of the state of Missouri and the Constitution and laws of the United States of America. However, no employee shall:

- Take any active part in managing a campaign, or campaign for political office or otherwise engage in political activity while on duty or within any period of time during which he/she is expected to perform services for which he receives compensation from the College;
- Otherwise use the authority of his/her position or utilize College funds, supplies, or vehicles to secure support for or oppose any candidate, party, or issue in a partisan election involving candidates for office or party nominations, or affect the results thereof;
- Use any promise or personal preferential treatment or threat of loss to encourage or coerce any employee to support or contribute to any political issue, candidate, or party;
- Take part in the management of the campaign for the election or defeat of candidates for Board of Trustees.

2.50 NOTIFICATION OF ARRESTS AND CONVICTIONS (policy 3.44)

An employee of the college who is arrested or convicted for an offense other than a minor traffic violation is required to notify, in writing, his/her immediate supervisor concerning the circumstances on the first college work day following the arrest or conviction. For the purpose of this section, minor traffic violation does not include any offense which involves alcoholic beverages or illegal drugs.

2.51 CHILDREN IN THE WORK PLACE

OTC values family life and has worked to develop employment policies and benefits that are supportive of families. OTC believes that the work place should not be used in lieu of a child care provider. Further, the College believes that it is inappropriate for minor children of employees to be in work areas during work hours for several reasons:

- The potential liability to the College.
- Risk of harm to the children.
- Decreased employee productivity due to distractions and disruptions.

It is in the best interest of all parties concerned that minor children of employees not be present at an employee's workplace (e.g. office, classroom, shop area), in lieu of other child care arrangements, during the employee's working hours. This policy is not intended, however to prohibit children from the campus when the purpose of his/her visit is to attend classes or to participate in activities specifically scheduled for his/her benefit.

2.52 EVALUATION OF PERFORMANCE

The evaluation of employee performance is intended to be a continuous process of communication between employees and supervisors and to serve several purposes, including the following:

- To evaluate each employee's effectiveness in performing assigned duties and responsibilities;
- To identify factors that can improve job performance;
- To clarify performance standards as they relate to the current job description;
- To assist employees in developing additional knowledge, skills and abilities for job advancement;
- To recognize exceptional performance;
- To document shortcomings or substandard performance;
- To identify training and development needs.

The immediate supervisor will evaluate the employee on a yearly basis. Evaluation factors include job knowledge, attendance, quality of work, dependability, cooperation/coordination, judgment, job attitude, initiative, productivity, and adaptability.

After an evaluation has been completed by the supervisor, it is discussed with the employee. The employee is asked to sign the evaluation acknowledging that it has been discussed. Signing the evaluation report does not mean the employee agrees with the evaluation; it means that the employee is aware of and has been informed of the evaluation.

2.53 SAFETY AND HEALTH

At OTC, we believe that an effective safety program requires proper job performance from everyone in the workplace.

OTC has made a commitment to ensure that all employees know about the materials and equipment that they are working with, what known hazards are present and what is being done to control or eliminate these hazards.

It is extremely important that each employee understand the following rights and responsibilities:

- No employee is expected to undertake a job until he or she has received instructions on how to do it properly and has been authorized to perform that job.
- No employee should undertake a job that appears to be unsafe, or use chemicals without understanding the toxic properties.
- Mechanical safeguards must be in place before operating any piece of machinery and must stay in place while that machinery is being operated.
- Each employee is expected to report all unsafe acts or conditions encountered during work or on company property to his or her immediate supervisor.
- Any injury or illness which you believe to be related to work at OTC, no matter how slight, must be immediately reported to your supervisor.
- Every employee is responsible for housekeeping duties. Good housekeeping is one of the most important

factors in accident prevention.

- Employees are expected to assist management in accident prevention activities. Our safety program will continue to be improved only through the joint efforts of all employees.

Questions help us identify areas where more information is needed and then allow us to provide you with sufficient information to perform your job safely. **PLEASE** ask questions!!

Employee suggestions and identification of potential hazards are critical to the success of our safety efforts, so **PLEASE** make suggestions.

2.54 HAZARDOUS MATERIALS

OTC is committed to providing its students and employees a safe and healthy learning and work environment. The College shall adhere to applicable environmental and hazardous materials statutes and regulations.

Employees must adhere to the Chemical Hygiene Plan. This plan identifies the procedures, equipment, and work practices which will protect students and employees from chemical exposures. (A copy of the Chemical Hygiene Plan may be obtained from the office of Safety and Security.) All personnel involved with hazardous materials shall be accountable and supportive of the plan. For more information, please see 4.02 (o) HAZARDOUS MATERIALS located in the OTC Policy and Procedures Manual.

2.55 CRISIS PLAN AND EMERGENCY EVACUATION PROCEDURE

You will find the crisis plan and emergency evacuation procedure posted in every office and classroom. Please take time to become familiar with this plan. Employee and student safety is dependent on knowing what to do in the event of an emergency.

2.56 PARKING

All staff members must register their vehicle(s) with the Safety and Security office. This information is extremely helpful in locating employees, in the event that their vehicle is involved in an “on-campus” altercation. (vandalism, fender bender)

2.57 DISCIPLINARY ACTION, SUSPENSION, AND DISMISSAL (policy 3.32)

An employee, regardless of occupation, position, profession or work performed, may be warned, reprimanded, or suspended by the college Chancellor or his/her designee, or dismissed by the board of trustees. Copies of all admonishments and reprimands will be submitted to the personnel office for inclusion in the employee's personnel file immediately following delivery. Any employee who receives an admonishment, warning or reprimand has the right to respond, in writing, and for the response to be made a part of his/her personnel file.

Admonish is to caution against specific faults; to warn, to reprove mildly. For the purpose of this policy, reprimand is defined as a severe or formal rebuke. The causes for suspension and/or dismissal fall into two categories: (1) causes relating to performance of duties, and (2) causes relating to personal conduct detrimental to the college. Causes for suspension and/or dismissal shall include, but not necessarily be limited to:

A. Performance of duties

1. Inefficiency or incompetency in the performance of duties.
2. Negligence in the performance of duties.
3. Physical or mental incapability of performing duties.
4. Careless, negligent, or improper use of college property or equipment.
5. Failure to maintain satisfactory and harmonious working relationship with the public and/or employees.

6. Absence without leave.
7. Habitual improper use of sick leave privileges.
8. Habitual pattern of failure to report for duty at the assigned time and place.
9. Failure to obtain or maintain a current license or certificate required by law as a condition for performing the job.
10. Refusal to accept a reasonable and proper assignment from an authorized supervisor (insubordination).
11. Violation of any of the policies and procedures of the college.

B. Personal conduct

1. Guilty of conduct detrimental to the college.
2. Conviction of a felony.
3. Convicted of immoral or dishonest conduct or a criminal act.
4. Misuse of college funds.
5. Falsified job information to secure position with college.
6. Participation in any action that would in any way seriously disrupt or disturb the normal operation of the institution.
7. Trespassing on the home of any trustee or employee for the purpose of harassing or forcing dialogue or discussion from the occupants.
8. Willful damage or destruction of property.
9. Willful acts that would endanger the lives and property of others.
10. Possession of unauthorized firearms or lethal weapons on the job.
11. Brutality in the performance of duties.
12. Reporting to work under the influence of alcohol or drugs, or distribution, possession, or use of such substances on the job.
13. Acceptance of gifts in exchange for "favors" or "influences.
14. Betrayal of confidential information from official records.
15. Engaging in incompatible employment or serving a conflicting interest.
16. Taking part in political management or political campaigns prohibited by law.
17. Engaging in sexual or romantic interactions with subordinate students or subordinate employees.
18. Sexual harassment.

2.58 EMPLOYMENT SEPARATION

If for any reason an employee decides to terminate employment with OTC, it is his/her responsibility to submit written notice to his/her immediate supervisor and a copy to Human Resources office. This written notice should include your last day of work.

You will need to physically go to the Human Resources office and finalize insurance, retirement, and payroll information before your last day of work.

Your last payroll will be in the form of a check. Checks will not be issued until the Human Resources office has received notice that you have turned in all OTC property. (keys, uniforms, textbooks, etc.) Your last paycheck will be available for you to pick up on the payday following your last day worked.

Following termination, please contact the OTC Human Resource office if you have a change of address. This is important for delivery of W2's and other correspondence.

3.0 PAYROLL

3.1 EMPLOYMENT VERIFICATIONS AND REFERENCES

From time to time, you may need the College to verify your employment for loans or to prospective employers. While we are not required to provide such information, it is done as a courtesy. All employment verification/reference requests must be directed to the Human Resources office. To protect confidentiality, unless there is written authorization from you to release additional information, only your dates of employment and job title will be released.

3.2 PAY DAYS

All full-time employees are paid monthly on the last working day of the month.

Part-time employees are paid on the fifteenth of the month, unless that day falls on a Saturday, Sunday, or holiday. If that is the case, employees will be paid on the Friday preceding or the Monday following.

Adjunct instructors are paid on the twentieth day of the month, unless that day falls on a Saturday, Sunday, or holiday. If that is the case, employees will be paid on the Friday preceding or the Monday following.

Each monthly gross pay calculation will include earnings for all work performed through the end of the previous payroll period.

3.3 ELECTRONIC FUND TRANSFER (DIRECT DEPOSIT OF PAYCHECK)

Payroll is deposited directly into the employee's bank account. Paystubs will be sent to the employee's on-campus mail box. Contact Human Resources office to sign up for automatic deposit. All forms must be received by the 25th of the month to be effective beginning with the next month's payroll.

3.4 PERSONAL USE OF PETTY CASH

At no time is cash to be "borrowed" from the cash drawer or petty cash fund. To use College funds for personal use is considered theft. Any employee using College funds for personal use is subject to corrective action up to and including termination of employment.

3.5 CORRECTION OF PAYROLL ERRORS

The College takes every measure to ensure that payroll is processed correctly. However, from time to time, payroll errors can occur. To help ensure that our payroll is accurate, employees are expected to review each pay stub carefully and immediately report suspected errors to the Finance Office. It will be presumed that if an employee does not report an error within 90 days, the employee's pay stub is correct. Errors should be reported in writing (by memo), including the date of the pay stub and details of the suspected error. A copy of the employee's pay stub and the relevant time card or sheet should be attached to the memo.

If an overpayment is discovered within 90 days, the College reserves the right to make appropriate payroll deductions or repayment of payroll overage. Amounts of less than \$50 will be deducted from the monthly payroll immediately following the discovery of the overpayment. Amounts of over \$50 will be repaid through multiple

payroll deductions based on a mutually agreeable schedule. If an employee leaves the College before the overage is repaid, the balance due will be deducted from the employee's final payroll.

Overpayments discovered after 90 days will be absorbed by the College and no repayment will be required.

3.6 PAYROLL DEDUCTIONS AND W-2s

The College is required by law to make certain deductions from employee payroll each pay period. These include: federal income tax, federal Social Security (FICA), Medicare tax, retirement fund contributions, and state income tax. The amounts of these deductions are summarized on a W-2 form and provided to all employees not later than January 31 of each year. To ensure that your W-2 is accurate and received on time, changes of name or address should be promptly reported to the Human Resources office.

State and federal tax regulations may require reporting other compensation on the employee's W-2. Employees should consult with their personal tax advisor to determine how this should be reported on their income tax return.

The College offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their monthly pay to cover the costs of participation in these programs: tax sheltered annuities, United Way contributions, self and dependent insurance coverage, OTC Foundation contributions, HSA plans, and the College-sponsored "cafeteria" plan.

Occasionally the College receives court orders (garnishments) to withhold funds from the employee's pay (child support, tax levies, etc.). The College will comply with such orders.

Questions about deductions from the employee's pay should be directed to the Finance Office.

3.7 TIME CARDS AND ABSENCE REPORTING

All non-exempt employees must report time worked on daily time cards or monthly time sheets. Employees must fill out and sign their own time card or sheet. Completion of time card or sheet by another employee will be considered falsification of official records and could be grounds for corrective action including termination.

Non-exempt employee time records are important. Accurate, timely completion of time cards or sheets is critical to correct payroll processing. In the event that the employee cannot complete his/her time records as required, his/her supervisor should be contacted immediately.

Nonexempt employees must accurately record the actual hours they work on a daily basis.

As an example, improper record keeping would include recording 8 hours of work on a day in which 9 hours were worked, and then recording 8 hours the following day, when only 7 hours were worked, and then recording 8 hours the following day, when only 7 hours were actually worked. While the total for the two days is 16 hours worked, the correct Time Record for the two days should show 9 and 7, not 8 and 8. Pay will be docked for any week when less than 40 hours are actually worked, and leave is not recorded (e.g. holiday, vacation, sick)

Time cards or sheets turned in late will be processed during the following month's pay cycle.

3.8 OVERTIME COMPENSATION (*Applies to non-exempt employees only*)

Non-exempt employees will be paid for all hours worked, including overtime that is worked at the direction of management. Prior to working overtime, the employee ***must receive approval from his/her supervisor.***

Hourly overtime is paid at one and one-half times the regular hourly rate of pay for work over 40 hours in a work week.

Paid time off (e.g. sick leave or vacation) is not included in calculating hours worked for the purpose of overtime pay.

Exempt employees are reminded that they are paid a base salary for job performance, not hours worked, and that overtime pay does not apply to exempt employees.

4.0 EMPLOYEE BENEFITS

4.1 INTRODUCTION

OTC provides a competitive benefits package that is designed to supplement the employee's salary. From time to time, benefits may be added or deleted from the package. The College reserves the right to make such changes, as well as to change insurance carriers or coverage, and payment of premiums on behalf of employees at the sole discretion as deemed appropriate by the College. The following provides a general overview of benefits currently provided for full-time employees. Further information about specific benefits is outlined in the *Policies and Procedures Manual* kept by the employee's Vice Chancellor.

4.2 UNEMPLOYMENT AND SOCIAL SECURITY (FICA)

Unemployment insurance is administered by applicable state agencies who determine eligibility for benefits, the amount of benefits payable (if any), and duration of benefits.

Certain employees are also eligible for benefits under Social Security (FICA). To provide these benefits, OTC matches employee contributions dollar for dollar. Some of the benefits under Social Security include retirement income, Medicare benefits at age 65, benefits for permanent disability, and dependent survivor benefits.

4.3 INSURANCE BENEFITS

OTC offers a benefits package that is designed to protect your health and welfare (and that of your family if dependent coverage is elected). These benefits are intended to assist with the financial impact of health care and catastrophic health conditions.

Insurance coverage includes:

- Health insurance
- Prescription drug insurance
- Dental insurance
- Life insurance
- Long-term disability insurance

Although the College provides insurance coverage for employees (dependent coverage is paid by employees), conditions covered, claims processing, and actual benefit payments are between you and the insurance carrier. The College does not accept any responsibility or liability for actions taken by the insurance company. The employee is responsible for submitting claims and directly resolving with the insurance company any problems that might occur with claims processing.

4.4 MEDICAL, DENTAL AND LIFE INSURANCE PREMIUMS

Currently, the College pays 100% of medical and dental insurance premiums for employees. The employee must pay 100% of dependent insurance premiums should he/she elect such coverage. This will be done through payroll deduction.

The College also provides a life insurance policy to each full-time employee in the amount of his/her yearly salary. Supplemental life is available to employees and their dependents.

Prescription drug coverage is included in our health insurance plan. There is no additional premium for prescription drug coverage. Consult your insurance handbook for prescription drug coverage benefits.

4.5 COBRA BENEFITS

When the employee or his/her enrolled dependents are no longer eligible for regular coverage under the college health and dental insurance plans, he/she may be eligible for continued coverage if he/she pays the monthly premium for the coverage. This is guaranteed to the employee under the Consolidated Omnibus Budget Reconciliation Act (COBRA) if:

- The employee was covered under the group plan at the time of a qualifying event (see below for a list of qualifying events);
- Employee is not eligible for Medicare;
- Employee is not eligible for coverage under another employer's group plan; and
- The employee has not applied to convert his/her group coverage to an individual health insurance policy.

QUALIFYING EVENTS

The employee has the right to choose continuation coverage (COBRA) if he/she loses his/her group health insurance because of a reduction of hours in employment, or the termination of his/her employment (voluntary or involuntary) for reasons other than gross misconduct.

A covered spouse or dependent child has the right to choose continuation coverage (COBRA) if coverage is lost for any of the following reasons:

- The employee's death;
- Termination (voluntary or involuntary) of his/her employment or reduction in hours of employment;
- Divorce or legal separation;
- The employee becomes eligible for Medicare; or
- The employee's child is no longer considered a "dependent child" under the terms of our insurance policy.

THE EMPLOYEE'S RESPONSIBILITIES UNDER COBRA

Under the law, the employee or his/her family member has the responsibility to inform the Human Resources office within 60 days of a divorce, legal separation, or Social Security disability determination that a qualified beneficiary was disabled at the time of the employee's termination or reduction in hours, or when one of his/her children loses eligibility for dependent status.

ELECTION PERIOD

Once the Human Resources office has been notified of a qualifying event, that office will provide information about COBRA rights, premium payments, and a COBRA election form to the employee and/or his/her covered dependents. Under the law, the employee has 60 days after that to elect COBRA coverage. If the employee does not choose COBRA, his/her group health insurance coverage will end.

CONTINUATION OF BENEFITS

If the employee elects COBRA, he/she will receive identical coverage provided under the plan to similarly situated employees or family members. The employee has the right to continue coverage under COBRA for at least 18 months and, in some situations, up to 36 months. The employee will be advised as to the maximum length he/she may continue COBRA coverage at the time of his/her election.

Once the employee's COBRA rights have expired, he/she is entitled to convert his/her coverage to an individual plan as provided under the insurance policy in effect at the time.

Under COBRA, continuation of coverage may be cut short for any of the following reasons:

- 1) The College no longer provides group health insurance coverage to its employees;
- 2) The employee or his/her dependent(s) become covered under another group health plan that does not include a preexisting condition clause that applies to the employee or to a covered dependent; or
- 3) The employee becomes covered under Medicare.

PAYMENT OF PREMIUMS

COBRA premiums will be deducted from the employee's bank account. Premiums will be deducted on the last business day of the month preceding the month to be covered. It is the employee's responsibility to contact the Human Resources office if he/she wishes to discontinue coverage.

4.6 SECTION 125 FLEXIBLE SPENDING ACCOUNTS ("CAFETERIA PLAN")

Under section 125 of the IRS Code, OTC has set up a flexible spending account for employees who wish to take advantage of this provision which allows individuals to set aside funds to cover certain expenses with pre-tax dollars. Expenses covered by the flexible spending account include:

- Dependent care (*e.g.*, child care expenses);
- Out-of-pocket health insurance expenses not covered by the employee's health insurance coverage (*e.g.* annual deductible, co-pay fees, items not covered by health insurance such as orthodontia, vision care, etc.).

Further information about the flexible spending account is available from the Human Resources office.

4.7 TAX SHELTERED ANNUITY (403B) PLAN

The College facilitates voluntary employee participation in a tax sheltered annuity program designed to reduce the employee's federal and state income taxes while also accumulating savings for retirement. For further information on participation, contact the Human Resources office.

4.8 LONG TERM DISABILITY INSURANCE

To provide income continuation in the event of long-term disability, the College provides long-term disability insurance. Benefits are payable beginning the 181st day of disability if approved by the disability company. The long-term disability plan provides a benefit up to age 65.

4.9 RETIREMENT BENEFITS

Regular full-time employees are covered under either the Public School Retirement System of Missouri (instructors, administrators, supervisory, and technical staff) or the Public Education Employee Retirement System of Missouri (support staff). Payroll contributions made by the employee to this system are matched by the College. Complete and detailed information on these programs can be found in the retirement system handbook provided to each full-time employee.

4.10 CREDIT UNION MEMBERSHIP

OTC employees are eligible for membership in both the Springfield Teachers Credit Union (located at 1131 N. Boonville, telephone 895-2770) and the Educational Community Credit Union (1221 E. Grand, telephone 831-0534). To join either of these credit unions, you will need to contact their offices.

4.11 HEALTH CLUB MEMBERSHIP

All full-time OTC employees are eligible for a membership at the YMCA or Cox Fitness Center. These

membership rates are available at a discounted rate to full-time OTC employees. Please stop by the Human Resources office for further details.

4.12 OBSERVED HOLIDAYS

The College will observe the following days as official holidays, during which time all offices will be closed:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Presidents' Day	Third Monday in February
Spring Holiday	Varies
Memorial Day	Fourth Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving	Fourth Thursday & Friday in November
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

Employees on Family Medical Leave or other leaves of absence are not eligible for holiday pay while on leave.

If a holiday falls on a Saturday, it will be observed on the preceding Friday. Holidays that fall on Sunday will be observed on the following Monday.

4.13 HEALTH AND WELLNESS CENTER

The Health and Wellness Center was established to provide an additional benefit to our full-time employees to promote their overall health and wellness. The convenience of an on-site clinic is beneficial to those employees who may not have the time or resources to see a physician on a regular basis.

Dr. Jim Blaine is the lead physician at the Health and Wellness Center. The center is located in Lincoln Hall, Suite 208, and features a full family practice including routine lab work on site. All full-time OTC employees and their dependents are eligible for the clinic, free of charge. The Center's phone number is 866-3133.

Health and Wellness Center Hours:

- Monday 8:00 a.m. – 1:00 p.m.
- Wednesday 8:00 a.m. – 1:00 a.m.
- Friday 8:00 a.m. – 1:00 p.m.

4.14 SICK LEAVE

Administration of the sick leave program within the scope of established policy is the responsibility of the appropriate vice Chancellors of the college. Paid sick leave for absences during scheduled working hours will be charged to the appropriate leave account of the employee.

The following sick leave policy has been adopted by the Board of Trustees of the college:

Provision is made for full salary compensation to be paid while the employee is absent due to illness or injury not covered by Worker's Compensation. Benefits under this policy will be paid up to maximum days accrued. Only those days which are contracted working days shall be counted as days for which personal illness or injury shall be deducted or claimed.

It is the responsibility of the employee to contact their immediate supervisor, a minimum of 30 minutes after the start of their designated shift to report their absence due to illness or injury not covered by Worker's Compensation. The employee must state the nature of the illness or injury to their supervisor.

When an absence is reported as an illness, and misuse is suspected, documentation from a physician which validates illness or injury may be requested at any time by the supervisor or the College Director of Human Resources.

The College Director of Human Resources may require the employee to see a physician of the College's choosing and at the College's expense any time that misuse is suspected. The employee may be required to produce a physician's statement to the College Director of Human Resources setting forth the nature of the illness and a recommendation for continued absence.

A similar physician's statement may be requested periodically until the employee returns to duty. Any employee absent for any period of time because of illness or injury requiring care by a physician may be requested to provide a written statement from the physician stating that the employee is physically/mentally able to return to duty.

Each employee will accumulate sick leave days available for use under this provision at the rate of 1.75 days per month under contract to the maximum of 190 days for 9-month employees, 210 days for 10-month employees, 230 days for 11-month employees, and 252 days for 12-month employees. Employees who are off work due to illness or work-related injury will not accrue any sick leave if they are absent from work for 80 work hours or more during each month that they are off work.

Employees who terminate employment or retire from the College will earn sick leave in the month of termination/retirement provided that the employee's last day of work is on the 15th or later in the termination/retirement month. Employees will not earn any hours of sick leave if their last day of work is prior to the 15th day of the month in which they terminate/retire. Partial monthly accruals are not allowed.

Each exempt employee shall receive fifteen dollars (\$15.00) and each non-exempt employee shall receive ten dollars (\$10.00) upon retirement or resignation for each unused day of sick leave in excess of 100.

4.15 PERSONAL BUSINESS DAY

Personal business of an urgent nature that cannot be transacted outside of assigned working hours may be transacted by use of a personal business day if the employee has the hours accrued. Such leave days shall not exceed one (1) per contract year and are charged as sick leave. Personal business days are not accruable. In the event that the employee does not use a personal business day, the hours will remain as sick leave.

4.16 VACATION

Vacations are intended to provide employees with a reasonable period of time each year to be free of job responsibilities.

Vacations are earned by full-time, 12-month employees based on length of active service. Part-time employees or those full-time employees who work less than 12 months per year are not eligible for paid vacation.

Vacation leave accrual rates vary according to the employee's job level and length of service.

VACATION LEAVE FOR STAFF (CATEGORIES I & II) and MAINTENANCE (CATEGORIES I & II)

- 0 - 5 years of employment – 10 days annual vacation (6.67 hours per month)
- 6 – 12 years of employment – 15 days annual vacation (10 hours per month)
- 13 – and over years of employment – 20 days annual vacation (13.33 hours per month)

A maximum of thirty (30) days vacation leave may be accrued and carried forward to the next fiscal year.

VACATION LEAVE FOR ADMINISTRATIVE CATEGORIES I, II, and STAFF CATEGORIES III, IV, V, & VI

- 0 – 3 years of employment – 10 days annual vacation (6.67 hours per month)
- 4 – 8 years of employment – 15 days annual vacation (10 hours per month)
- 9 – and over years of employment – 20 days annual vacation (13.33 hours per month)

A maximum of thirty (30) days vacation leave may be accrued and carried forward to the next fiscal year.

VACATION LEAVE FOR ADMINISTRATIVE CATEGORY III, IV, & V

- 0 – 2 years of employment – 10 days annual vacation (6.67 hours per month)
- 3 – 5 years of employment – 15 days annual vacation (10 hours per month)
- 6 – and over years of employment – 20 days annual vacation (13.33 hours per month)

A maximum of thirty (30) days (240 hours) vacation leave may be accrued and carried forward to the next fiscal year.

Employees who are off work due to illness or work-related injury will not accrue any vacation if they are absent from work for 80 work hours or more during each month that they are off work.

Employees who terminate employment or retire from the College will earn vacation in the month of termination/retirement provided that the employee's last day of work is on the 15th or later in the termination/retirement month. Employees will not earn any hours of vacation if their last day of work is prior to the 15th day of the month in which they terminate/retire. Partial monthly accruals are not allowed.

Refer to Section III of the *Policies and Procedures Manual* for further information.

4.17 STAFF ENROLLMENT AND TUITION EXEMPTION

Full-time employees are eligible to enroll in a maximum of twelve (12) college credit hours per semester (fall and/or spring), six (6) college credit hours per summer term with tuition waiver. Classes may not be attended during regular working hours or during scheduled lunch periods without prior approval from the appropriate Vice Chancellor. Full-time employees may assign part or all of the twelve (12) college credit hours to their spouse and/or eligible dependent children. Eligible dependent children are defined by the Internal Revenue Code. (The employee must supply a copy of Income Tax form from previous year showing that the employee claimed the child on his/her income tax.)

Regular part-time employees (excluding OTC work/study students) are eligible to enroll in a maximum of three (3) college credit hours per semester (fall, spring or summer) with tuition waiver.

Full-time and part-time employees (excluding OTC work/study students) may enroll in one (1) non-credit class per semester with a tuition waiver of up to \$50, subject to the availability of funds. This tuition waiver is for employees only and does not extend to members of the employee's family.

Tuition waiver is at the in-district rate. Total hours waived are capped at twelve (12) per semester (fall and/or spring), six (6) per summer term. Tuition waiver does not apply to student fees, lab fees, textbooks, incidentals, supplies and materials and certain exempt, non-credit classes as determined by the Chancellor. To be valid, tuition waiver must be submitted within the two weeks following the first day of class of the semester/term.

“Regular, Part Time Employee” is defined as being currently employed by the college in a part-time position and having worked a minimum of 4.5 months continuously as of the date of tuition waiver. See Also Policy 3.46

See Human Resources office for full details, necessary forms and requirements.

4.18 ADVANCED STUDIES – PROFESSIONAL DEVELOPMENT TUITION REIMBURSEMENT

Full-time employees who have completed one (1) year of full-time employment are eligible for partial reimbursement. Courses must be a part of a curriculum leading to a degree in a job-related field or the course must be job related. Courses must be offered by a regionally accredited institution of higher learning. All lower division baccalaureate courses (freshman and sophomore) must be taken at OTC. Reimbursement will be as determined periodically by the Board of Trustees. Books and fees are not reimbursable.

See Human Resources office for full details, necessary forms and requirements.

4.19 FAMILY AND MEDICAL LEAVE (FMLA) (policy 3.16B)

A. Introduction

Ozarks Technical Community College complies with provisions of the federal Family and Medical Leave Act (FMLA) and, where applicable, state family and medical leave laws. The following summarizes the employee's and college's rights under the FMLA:

B. Types of Absences Covered

1. Definition

Under the FMLA the employee may take up to 12 weeks within a 12-month period of unpaid leave of absence for:

- a. The birth of employee's child;
- b. Care for an employee's newborn child (birth – 12 months of age);
- c. Placement of a child with an employee for adoption or foster care;
- d. The serious health condition of an employee's parent, child, or spouse which requires care provided by the employee;
- e. An employee's own serious health condition causing the employee to be unable to perform the employee's job.

2. Serious Health Condition Defined

Serious health condition is defined as any injury, illness, or impairment that involves:

- a. Inpatient care (overnight stay) in a hospital, hospice, or residential medical care facility;
- b. Continuing treatment by a health care provider which includes:
 - 1) A period of incapacity for three or more consecutive calendar days; or
 - 2) Requires two or more treatments (visits) to the health care provider; or
 - 3) Requires at least one visit to the health care provider followed by a regimen of continuing treatment under the supervision of the health care provider.

3. Chronic Conditions

Chronic conditions are also covered by the FMLA. Chronic conditions are defined as a condition which:

- a. Requires periodic visits for treatment by a health care provider;
- b. Continues over an extended period of time;
- c. May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

C. Eligibility for FMLA

To be eligible for FMLA leave the employee must have worked for the college for at least one year, and must have worked at least 1,250 hours in the year preceding the employee's request for FMLA leave.

If both spouses are employed, they shall be entitled to only twelve (12) weeks of leave in the aggregate for the birth, adoption, or foster care or placement of a child, or to care for a seriously ill parent. When leave is taken to care for a seriously ill spouse or child, spouses who are both employees may each take twelve (12) weeks of leave.

D. Length of Leave

Under the FMLA the employee is entitled to leave as long as a physician (or other legally qualified health care provider) certifies that the employee's condition (or the condition of the employee's family member) necessitates the employee's absence up to a maximum total of 12 weeks within a 12-month period. This 12 weeks includes sick leave, vacation, and other paid time (e.g., short-term disability or workers' compensation) taken while on FMLA.

E. Intermittent Leave

If employee or the employee's family member's condition requires only periodic treatment (e.g., chemotherapy or dialysis), the employee may request FMLA leave on an intermittent basis. Intermittent leave can be taken in hourly increments and will be counted toward the 12-week allotment in the increments taken (12 weeks = 480 hours).

F. Twelve Month Period Defined

The twelve month period for FMLA eligibility begins with the date of the first absence qualifying for FMLA leave, and rolls forward from that date. In other words, how much FMLA leave the employee is entitled to depends on how much time the employee has taken during the twelve month period prior to the request for leave.

G. Sick Leave and Vacation While on FMLA Leave

If at the time the employee's FMLA leave begins and the employee has accrued sick leave and/or vacation, the employee will be required to use that time while on FMLA leave. Once accrued sick leave and vacation are used, the remainder of the employee's FMLA leave will be without pay.

H. Benefits Continuation While on FMLA Leave

While on FMLA leave the employee's health care benefits will continue as if the employee is actively employed (the college will pay 100% of the full time employee premium and the employee will pay 100% of the monthly premium for dependent coverage) up to a maximum of 12 weeks.

Payment of dependent insurance coverage premiums must be made by the 26th day of the month previous to the month to be covered. Failure to pay insurance premiums by the due date could result in loss of coverage. Likewise, payment of premiums with an item returned for insufficient funds could also result in loss of coverage.

If the employee does not return to work at the end of the 12-week FMLA period, it will be considered a voluntary resignation and the employee may continue health care coverage under COBRA.

I. Leave Request

When foreseeable, (e.g., for childbirth or elective surgery), the college requests that the employee give at least 30 days written notice prior to taking a leave.

Unforeseeable circumstances do not require 30 days advance notice. In such case, the employee must give notice as soon as practicable. Failure to give timely notice may affect the employee's ability to take leave as requested.

The Human Resources department must be notified as soon as the employee is aware that FMLA leave is appropriate for the employee's situation. (The employee's supervisor should contact the Human Resources department when it is apparent that the employee is facing an extended illness.) The employee will be provided leave request forms to be completed. The employee's leave and 12-week allotment will commence from the first date of absence for the covered situation, regardless of when the employee formally requests FMLA leave. The employee must return FMLA certification within 15 days of receipt.

J. Return to Work

The employee is expected to return to work when the employee or the employee's family member is released by the employee's health care provider, or when the 12 weeks of FMLA has expired, whichever occurs first. Failure to return to work when released by the employee's or the employee's family member's health care provider or the 12 weeks of FMLA has expired will be considered a voluntary resignation. If the employee takes leave for his/her own

serious health condition, he/she must provide certification from his/her health care provider of the employee's fitness to return to work.

If the employee returns to work within 12 weeks, the employee will be returned to the same or a substantially similar position. Substantially similar position is defined as a job of similar job duties, job classification, work hours, location or comparable commute, and salary as that which the employee held at the time the employee went on leave.

A voluntary resignation will be assumed if an employee is unable to return to work after 12 weeks of approved FMLA is depleted, and additional leave has not been granted.

K. Employees Not Entitled to Restoration

OTC may deny restoration to any salaried employee who is among the highest paid ten percent (10%) of employees provided the following conditions are satisfied:

1. Restoration is denied to prevent substantial and grievous injury to the operations of OTC.
2. OTC notifies the employee of its intent to deny restoration.
3. If the leave has commenced, the employee elects not to return after receiving such notice.

4.20 LEGALLY REQUIRED LEAVES OF ABSENCE

Employees will be granted a leave of absence as required by law for the purpose of fulfilling any legal or military obligation (*e.g.* jury duty, appearance as a witness in a legal proceeding, military reserve duty, etc.). Employees are required to provide reasonable advance notice of any need for such leave and are expected to return to work each day or portion of the day that they are not selected for jury duty or called as a witness. For non-exempt employees, such leaves will be paid. Exempt employees performing College work while serving on jury duty will receive regular pay while on jury duty except on days when no College work is performed.

4.21 ACTIVE MILITARY LEAVE (policy 3.50)

College employees who are members of the National Guard or any reserve component of the Armed Forces of the United States shall have salary paid for absences under the following provisions, all in accordance with the Revised Statutes of Missouri, Chapter 105.270.

- A. Employees must be called for active duty by the Governor or the Adjutant General.
- B. Prior to military leave, employees must present evidence of valid military orders for which military leave is granted before any payment of salary is made.
- C. Military leave is not to exceed a total of fifteen (15) calendar days in any federal fiscal year.

4.22 TIME OFF TO VOTE

Employees who do not have sufficient time outside of their regular working hours to vote in an election may request time off to vote. Employees must request time off to vote at least two working days in advance of the election. Time off for voting will be at the beginning or end of the regular work shift, whichever is the most convenient for the College.

4.23 EDUCATIONAL LEAVE WITH PAY

The term "educational leave" refers to release from duties or time normally required of a full-time employee in carrying out his/her full load of responsibilities assigned.

College funds may be used to pay employee salaries while they are on educational leave if the following criteria are fulfilled:

- The employee is employed full-time on a 9, 10, 11, or 12 month basis;
- The employee has been employed by the College for the previous 3 years;
- The employee must indicate in writing his/her intent to be under contract to the College for the next academic year;
- Educational leave will not exceed a period of 80 work days a calendar year.

4.24 EDUCATIONAL LEAVE WITHOUT PAY

A request for educational leave for which the employee is not eligible under the foregoing leave with pay policy must meet the following criteria for consideration:

- The benefit to the institution demonstrably outweighs the penalty incurred by the employee's absence;
- Duties of the employee can be covered during the leave period in a manner that is acceptable to the administration;
- No cost is incurred by the institution.

Certain selection criteria and some leave penalties will apply to this benefit. Please see Sections 3.24, 3.25 and 3.26 of the *Policies and Procedures Manual* for further details.

5.0 WORK RELATED INJURIES/ILLNESSES

5.1 WORKERS' COMPENSATION (policy 3.27)

A.1) Coverage provides for the payment of medical expenses, compensation, and death benefits for employees who experience the effects of a work-related injury, or who incur an occupational disease resulting from employment.

2) All college employees are extended this benefit, which is authorized and regulated by law.

3) Each employee shall provide procedural acknowledgement by signing the compliance form provided by the Human Resources Office.

B.1) Insurance coverage and premiums shall annually be evaluated by the college.

a) As a part of this review, the college Vice Chancellor of Administration and Business may determine that partial self-insurance is an appropriate mechanism to control premium costs. Individual claims may be self-insured up to the limit allowed by statute.

b) Reasonable educational and posting efforts shall be made to ensure that employees use safety devices and obey safety rules, and are notified of the injury or illness reporting requirements. This shall be the responsibility of the supervisory department of the employee and shall, where appropriate, be included in the position description.

C.1) Work must be the prevailing factor in causing both the resulting medical condition and the disability.

Examples subject to the prevailing factor consideration include occupational disease, repetitive motion injury, innate characteristics, or weaknesses personal to the employee. Only injuries that occur from work activities in the line of duty for the college are to be compensable.

a) Covered injuries or diagnosis shall be reported as soon as possible to the employee's supervisor, the Office of Public Safety, and the Office of the Vice Chancellor of Administration and Business. Communication occurring more than thirty days after the incident may subject the claim to denial.

- b) Authorized treatment shall take place at the provider location designated by the Office of the Vice Chancellor of Administration and Business. Employees will be responsible for expenses incurred when using alternate services.
- c) Reduction in benefits may result when injuries result from the failure to:
 - o Use provided safety devices or by not following reasonable safety rules by the employer. Compensation and death benefits may be reduced by at least twenty-five, but not more than fifty percent.
 - o Obey any policy adopted by the college regarding alcohol or non-prescribed controlled drugs in the workplace. The employee will be requested to take a mandatory test for alcohol or non-prescribed controlled substance as required for treatment for a workers' compensation injury. Compensation and death benefits may be reduced by fifty percent, or forfeited if the use is the proximate cause of the employee's injury.
- d) Negation of short-term benefits may result from "post-injury misconduct" from temporary work modification due to early return to work.

5.2 REPORTING AND TREATMENT

In the event of work related injury or illness, the employee is required to contact his/her supervisor, the office of Public Safety (447-6911) and the office of the Vice Chancellor of Administrative Services (447-4851) **immediately**. This notification is required even if the injury/illness seems minor and/or no time is lost from work. This is necessary to ensure that any subsequent claim is handled correctly and to comply with legal reporting and record maintenance requirements. Failure to immediately report a work related injury could result in a claim being denied by both workers' compensation and the College's medical insurance companies. If life-threatening or emergency conditions make it impractical to not report the injury within 24 hours, the injury must be reported as soon as possible, but no later than 30 days after the accident.

Details of the incident must be communicated by completing and submitting the Internal Report of Injury form, which includes the time, place and nature of the injury, as well as the name and address of the person injured.

Treatment shall take place at the location designated to be the workers' compensation provider for the College. Employees will be responsible for expenses incurred when using alternate services, or for not reporting the incident within the designated time. In the event of an extreme emergency, the employee will be taken to the nearest hospital.

It is the employee's responsibility to tell the medical provider that the accident or injury is work-related and will be filed as workers' compensation.

5.3 RETURN TO WORK AND EXTENSION OF BENEFITS

Employees who experience a work-related injury or illness and have been cleared by the college's workers compensation provider for light or transitional duty will be assigned work activity designed to prevent re-injury and provide the employee with continued opportunity to work until such time as the employee is released to full duty by the workers compensation provider.

Return to work from a work related injury/illness will be as outlined under FMLA. The employee will return to the same or substantially similar position if he/she returns before his/her FMLA entitlement expires. When employees are unable to return to work, FMLA leave without pay will be granted for up to twelve weeks for the same or substantially similar position. After that time, for up to at least one year, positions will be reinstated subject to position availability. Full-time employees may elect to use accumulated vacation or sick leave instead of taking leave without pay.

If the employee is not able to return by the time his/her FMLA leave expires, return to work will be on "position availability" as outlined under Personal Leave of Absence basis for a period of up to one year (see FMLA for further details). After one year, the College cannot make any return to work guarantees. Eligibility for insurance coverage

continuation will be as outlined under FMLA. As is the case for all other leaves of absence, sick leave and vacation do not accrue while on workers' compensation leave.

The law requires a three-day waiting period following an accident or injury before making payment. After that time, an employee may either (1) take the compensation paid through the workers' compensation only and go on leave-without-pay status, or (2) continue to use accumulated vacation or sick leave to supplement the workers' compensation pay up to the normal monthly earnings amount.

Injured employees are required to provide a doctor's statement to the supervisor and the Human Resources office stating the necessity to be off work, and the length of time the employee will be remaining off work.

Written release from the doctor may be required in order to return to his/her position or to an approved and temporary modified position.

5.4 BENEFIT REDUCTION

Reduction in benefits may result when injuries result from the failure to:

- Use provided safety devices or by not following reasonable safety rules by the employer.
Compensation and death benefits may be reduced by at least twenty-five, but not more than fifty percent.
- Obey any rule or policy adopted by the employer regarding alcohol or non-prescribed controlled drugs in the workplace. For example, the employee may be requested to take a test for alcohol or a non-prescribed controlled substance if usage is suspected.

Compensation and death benefits may be reduced by fifty percent, or forfeited if the use is the proximate cause of the employee's injury.

Negation of short-term benefits may result from "post-injury misconduct" from temporary work modification due to early return to work.

5.5 FRAUD

Courts may impose penalties for knowingly misrepresenting claims. Acts may be classified as either a felony or misdemeanor.

Every employee will be required to acknowledge the above by signing a procedure statement provided by the Human Resources office.

6.0 JOB RELATED PROBLEM SOLVING

6.1 CONFLICT RESOLUTION

Employees working in close contact with each other will have misunderstandings, irritations and complaints from time to time. Even minor problems can develop into major problems if not resolved in a satisfactory manner.

The majority of job related problems can be resolved by the parties involved through open, honest communication.

The following process is outlined as a suggested means of discussing problems with your co-workers.

- 1) Schedule discussions at a time that is mutually convenient for all parties involved.
This will ensure that there is sufficient time for focused and thorough discussion.
- 2) State the issue at hand before beginning the discussion.
- 3) Each party should state, without rationalization or justification, the results they desire from the discussion.

- 4) Each party should state briefly his/her perception of the issue(s) at hand and possible solutions.
- 5) All parties should then work together to reach all goals (or reasonable compromises) set forth in step 3. During this step:
 - a) NEVER interrupt someone while he or she is speaking.
 - b) Keep your points brief (under 1 minute).
 - c) Use the goals set forth in step 3 as starting points for discussion.
 - d) Don't focus on the problem or its causes. Keep the discussion focused on solving the problem.

The intent of this procedure is to establish and maintain open lines of communication. While this process certainly guarantees no particular result, it does present opportunities to explore a problem from all points of view in an open and productive manner.

If, after making a good faith effort, the employee is not able to resolve conflicts he/she may need to seek the assistance of his/her supervisor.

6.2 EMPLOYEE GRIEVANCE POLICY (policy 3.36)

In order to maintain a harmonious and cooperative relationship between the College and its employees, it is the policy of the College to provide for the settlement of problems and differences through an orderly grievance procedure. Every employee shall have the right to present his/her problem or grievance in accordance with the procedures described herein free from interference, coercion, restraint, discrimination, or reprisal. This procedure provides for prompt and orderly consideration by supervisors and the Chancellor.

A grievance is any matter of employee concern or dissatisfaction within the control of the institution, except: (a) the content of institution policies, or (b) the non-renewal of a contract.

6.3 SUGGESTED PROCEDURE FOR EMPLOYEE GRIEVANCES (Current Policy 3.37 is undergoing revisions)

Step 1. Informal Grievance Procedure - Discussion between Employee and Immediate Supervisor

If an employee has a grievance, it should first be verbally discussed with his/her immediate supervisor within five (5) working days from the situation which is grieved. The supervisor may consult with higher level supervisors to seek any needed advice or counsel from his/her administrative supervisor(s) before giving an answer. The employee shall receive an answer within five (5) working days, or be advised as to the conditions which prevent an answer within five (5) working days and when an answer may be expected, but in no event longer than fifteen (15) working days. The circumstance should be documented by both the supervisor and the grievant.

Step 2. Formal Grievance Procedure - Discussion between Employee and Appropriate Vice Chancellor

If the decision in Step 1 is not satisfactory to the employee, or if the employee fails to receive an answer within the designated period provided in Step 1, the employee may file a grievance in writing with his/her Vice Chancellor within five (5) working days after receipt of the Step 1 decision, stating in detail the matter. The appropriate Vice Chancellor may require additional information in writing or verbally from the supervisor, employee, or any third person. The appropriate Vice Chancellor shall review the facts, interview the grievant, and provide a recommended course of action to the supervisor and the employee. In the absence of objection or appeal by the employee, the recommendation of the appropriate Vice Chancellor shall be implemented as soon as practical and the grievance considered resolved.

Step 3. Formal Grievance Procedure - Appeal to the Chancellor

If the decision in Step 2 is not satisfactory to the employee, within (5) working days after receipt of the Step 2 decision, the employee may file an appeal in writing with the Chancellor.

The grievant shall provide a written summary of the specific facts of the complaint, copies of which shall be provided at the same time to all other parties concerned. Upon receipt of the grievance, the Chancellor shall appoint a 3 member ad hoc grievance committee to investigate the issues, which investigation may include written submissions from or discussions with any parties or third parties. Within twenty (20) working days after receipt of the grievance, the ad hoc grievance committee will conclude its investigation and will submit a written report and recommended course of action to the Chancellor. The Chancellor can accept, reject, or modify the recommendation and will make a decision within five (5) working days and his decision will be communicated to all appropriate persons.

Step 4. Formal Grievance Procedure - Appeal to the Board of Trustees

If the Chancellor's decision is not satisfactory to the employee, he/she may appeal to the Board of Trustees within five (5) working days after receipt of the decision of the Chancellor. Appeal to the Board will be addressed to the Board and submitted to the Chancellor for delivery to the Board. Upon appeal to the Board, the Board president may refer the grievance to an *ad hoc* committee of the Board or an agent to review the record of the grievance to determine if additional information is required and to conduct a hearing of the facts and issues. The ad hoc committee or the designated agent shall report its findings and recommendation to the Board within five (5) working days after the receipt of the appeal to the Board. The Board, no later than at its next regular meeting, shall consider the report and recommendations and may modify, alter, set aside, or affirm said report and certify its decision to the Chancellor in writing within five (5) working days. The Chancellor will immediately notify the grievant of the decision rendered by the Board of Trustees, which shall be final.

6.4 RULES FOR PROCESSING GRIEVANCES (policy 3.38)

Grievances shall be processed according to the following rules:

1. If, at any stage of the grievance procedure, the grievant does not take the next step within the time allocated, the grievance shall be settled in the manner recommended or decided by the administration at the last step.
2. All reference to number of days in this procedure shall be determined to mean College working days. In the event a grievance is not filed or processed in the manner and within the times set forth above, it shall be forever barred.
3. The grievant may withdraw the grievance at any level.
4. Employees of the College, individually or as a group, are prohibited from communicating in any form with a member of the Board of Trustees concerning any matter which is the subject of a grievance procedure unless so directed through official channels.
5. Representation by an attorney will be permitted during a hearing before the Board of Trustees, or committee thereof, or agent appointed by the Chancellor of the Board of Trustees which has been designated to conduct a hearing. Representation will not be permitted during the interviews and investigations which are described in Steps 1, 2 and 3 of this policy.
6. A grievant or other employee who secures legal representation in connection with a grievance will bear the cost of such representation.
7. To the extent that any employee is sued or faces the threat of a lawsuit for actions properly conducted within the scope of duty, the legal representation of the College may sufficiently protect the interests of the individual employee. However, employees should understand that counsel employed by the College will have a primary ethical responsibility to protect the interests of the College. Accordingly,

any employee who is sued or faces the threat of a lawsuit for actions conducted while acting as an employee of the College may want to consider retaining counsel to protect his or her personal interests.

6.5 OPEN DOOR COMMUNICATIONS

The size and culture of OTC provides the opportunity to create a friendly, open work environment. By keeping the lines of communication open, the College feels that everyone will benefit from day-to-day work relations that are pleasant and enjoyable. To ensure that lines of communication remain open, employees are encouraged to raise concerns and issues with appropriate parties. Employees are invited to schedule an appointment with the College Director of Human Resources office whenever they would like to discuss a work related issue. To protect OTC's friendly work atmosphere, employees are expected to treat each other with respect and conduct themselves professionally when discussing concerns or issues. Communications should focus on facts and resolving the problem.

Personality conflicts are counterproductive and create unnecessary tension among employees. All employees are expected to work well together regardless of personal feelings for one another. Cooperative teamwork is essential to OTC's success and is, accordingly, part of everyone's job responsibility.

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