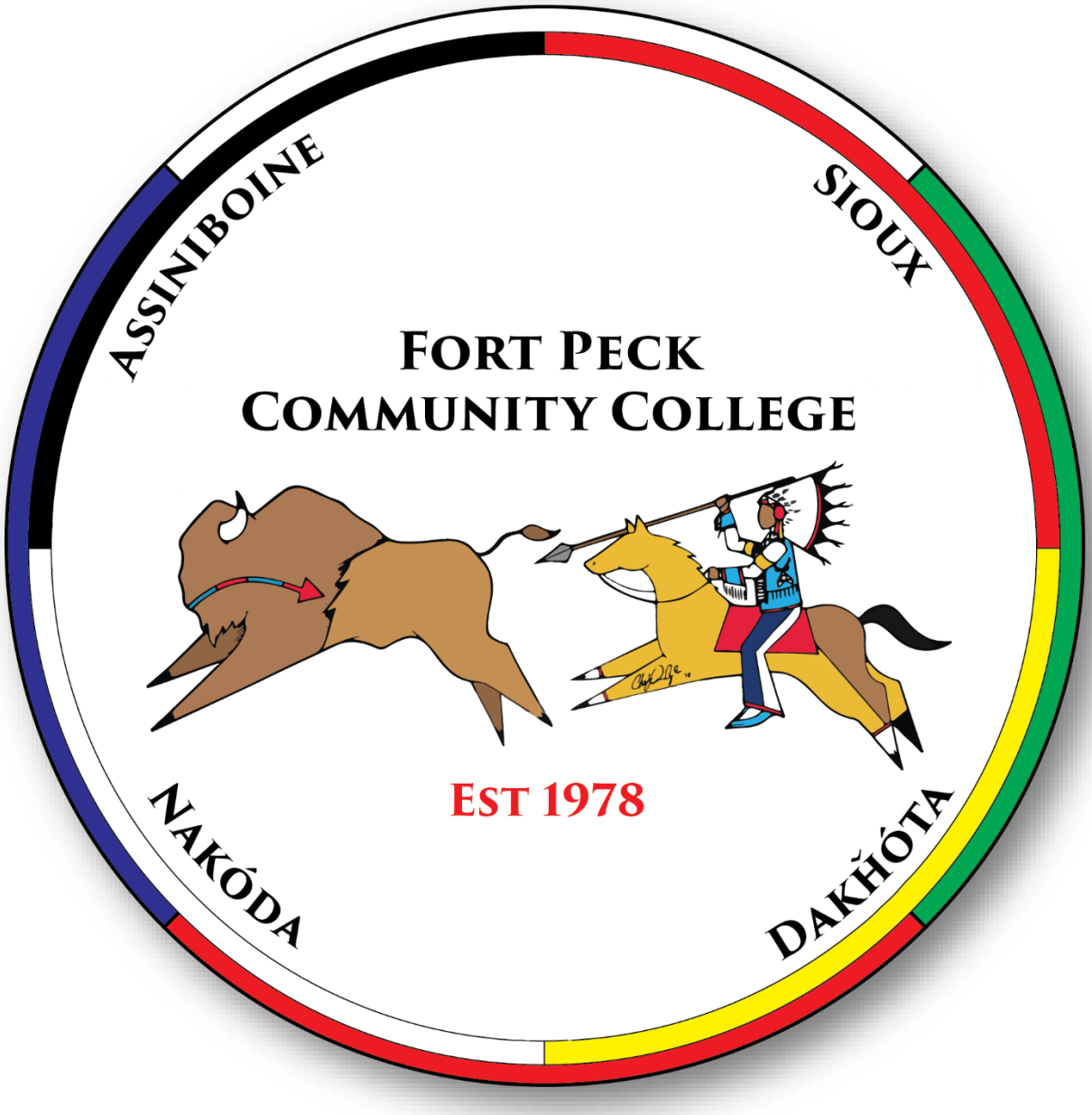



# ADMINISTRATIVE & FACULTY POLICIES & PROCEDURES MANUAL

June 2021

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# I. INTRODUCTION

Fort Peck Community College is a tribally controlled community college chartered by the Fort Peck Tribes. In 1977, the Fort Peck Tribes established the Fort Peck Education Department. This department developed Fort Peck Community College, which was officially chartered by the Fort Peck Tribes in 1978. The original charter established a six-member governing Board of Directors. In 1987, the Board was expanded to nine members including a student member. Members of the College Board are selected for their interest in higher education on the Fort Peck Reservation and the Fort Peck Tribal Executive Board ratifies the appointments. Currently, there are 12 members.

The mission of Fort Peck Community College is to provide higher education opportunities and services to the people of the Fort Peck Reservation. The College offers academic programs leading to associate degrees with credits transferable to other institutions of higher education and post-secondary education; occupational training programs that are based on the needs of the people living on and near the Reservation and job availability in the area; community based activities and organizations serving community needs; and Distance Learning opportunities in conjunction with other institutions of higher education.

# II. PURPOSE OF HANDBOOK

This Handbook outlines basic management policies and procedures for the administrative personnel and faculty members of FPCC. These policies and procedures are designed to establish consistent, efficient, objective and equitable guidelines that assist FPCC in meeting its mission statement.

Employees of the College are, for the purpose of this handbook, separated into two major categories: Administrative personnel and Faculty (teaching personnel). Support staff who work in areas outside of administration, but whose responsibilities are not primarily teaching (such as student services, library), are considered administrative personnel for the purpose of this manual. The policy of FPCC is that any employee who is qualified and capable of teaching may be called upon to do so. However, a person will not be classified as faculty unless teaching is their primary responsibility. On the other hand, faculty may also be called upon to perform specific administrative tasks.

# III. POLICY STATEMENTS

The following statements represent general policies of the Fort Peck Community College.

Academic Freedom It is the policy of FPCC to maintain and encourage full freedom, within the law, of inquiry, teaching, research, and publications. In the exercise of this freedom, the faculty peer is free to discuss his/her subject in the classroom. He/she may not, however, claim as right the privilege of discussion personal viewpoints, which have no relation to the subject. In the role of citizen, the faculty member has the same freedom as other citizens. However, in community utterances as a private citizen, the faculty member has an obligation to indicate that he/she is not an institutional spokesman. Faculty members are entitled to academic freedom in the selection of textbooks, audiovisual and other teaching aids within institutional purchasing and budgetary guidelines that support the mission of FPCC.

Non-Discrimination FPCC shall not discriminate on the basis of race, creed, color, religion, national origin, sex, disability, marital status, age, genetics, sexual orientation, transgender or political beliefs. This agreement shall be applied equally in all cases with respect to salaries, hours, and terms and conditions of employment. This also applies to admittance and enrollment of all students.

Drug –Free Workplace It is the policy of FPCC to maintain a drug- free workplace. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited. Employees violating this policy are subject to immediate dismissal.

Fort Peck Community College maintains a Drug-Free Awareness Program, which informs employees about the danger of drug abuse in the work place and available drug and alcohol counseling, rehabilitation, and employee assistance programs.

All FPCC employees must abide by the beginning paragraph above and notify FPCC of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such conviction. If convicted of such a violation, the employee can be required to participate in drug assistance or rehabilitation program or appropriate personnel actions, including termination, can be taken against the employee.

# A.RECRUITMENT AND SELECTION

President of the College

The Board shall advertise, interview applicants, and make the final selection for the position of President.

Administrative and Instructional Positions

New positions should be submitted by the Director to the President before they are advertised. The President shall advertise full-time positions for a minimum of two weeks at both the local and state level. Temporary and part-time positions do not require advertisement. The appointed committee shall screen and interview applicants and make recommendations to the President for final selection.

Selection Policy

FPCC shall not discriminate against those seeking employment because of age, race, creed, color, religion, national origin, sex, disability, marital status, genetics, sexual orientation, transgender or political beliefs.

Employee Conduct

All FPCC employees should make every effort to conduct themselves in a professional manner, to be courteous and helpful to the public, to respect the privacy and rights of others, and to observe appropriate standards of behavior and appearance. Employees should make public statements on behalf of FPCC ONLY when they have been specifically authorized to do so.

Outside Employment

The President may authorize, in writing, outside employment by full-time College staff under the following conditions the employment does not:

1. Interfere with the employee's assigned job responsibilities.
2. Constitute a conflict of interest to FPCC.
3. Generate unfavorable publicity for FPCC.

Requests for outside employment must be submitted in writing to the President and must state the type of work to be engaged in including an explanation of the task to be performed, the name of the employer, and the hours of the work.

Acceptance of Gifts, Fees, or Favor

No employee shall accept gifts, fees, favors, rewards, or other forms of remuneration in addition to regular compensation from any vendor for the performance or non- performance of services.

Political Activity

No FPCC employee can serve in a tribal elected office or other position in the official governing body of the Tribe, or any position which constitutes a conflict of interest with his/her College employment. No person who is serving in any elected capacity (as defined above) may be employed in a full-time paid College position. FPCC adheres to the policies governing candidacy and tribal elections as states in the Personnel Policies and Procedures of the Fort Peck Tribal Government.

Leave Policies

Leave is any authorized absence, with or without pay, during regularly scheduled working hours, which is approved by the administration of FPCC. Specific leave policies are spelled out under Sections IV and V for administration and faculty.

## B. PERSONNEL RECORDS

Confidentiality

FPCC shall maintain a system of confidential personnel files. A separate personnel file shall be created at the time of employment and maintained for each employee. All personnel records should be kept under lock.

Access to information contained in the personnel records shall be limited to a "Need to Know" basis, subject to examination by the FPCC employee of his/her personnel file at any time during normal business hours of FPCC. Material may not be removed from the file without the mutual consent of the employee and the administration.

The employee shall have the right to submit a written response to any material in his/her file. The response should be attached to the challenges material. At the time of the termination of employment, the employee's personnel records should be transferred to an "inactive" section and retained for a period of five (5) years.

Contents

The following material should be maintained in the personnel files:

- Application for employment.
- Copies of Correspondence, including notification of employment.
- Employee evaluation reports (Departmental).
- Notification of change in position, status or salary.
- Formal disciplinary actions.
- Time and attendance records and other related data such as W-4 forms, insurance forms and claims.

The employee is expected to supply the administration with the following information:

- Current address and telephone number.
- Updating of additional training and documentation of credits or degrees earned while under employment, and any special awards of achievements.

Other Employment Records

Application for employment will be kept on file for one year. Payroll records, annual leave, sick leave, and tax information shall be maintained for full-time and part-time employees by the Business Office. Upon termination of employment, these records will be filed in the employee's personnel file.

Employment Agreements

Persons selected for full-time employment by FPCC shall sign an annual contract. Temporary and part-time employees shall sign a contract or work agreement specifying the conditions and term of employment. Copies of the contracts and work agreement shall be filed in the employee's personnel file. The employee may be asked by FPCC administration to submit a recent physical examination report to insure the employee's physical fitness to perform his duties.

Student Employment
Students hired under non-work study awards will be required to meet the same qualifications and follow the same policies and procedures as the Federal Work Study students. See Financial Aid Section, in the FPCC Policies & Procedures Manual.

Orientation of New Employees
The President, or designated supervisor, shall provide each new employee with an orientation including the following:

1. Introduction to FPCC staff.
2. Tour of FPCC facilities.
3. Explanation of duties and responsibilities.
4. Copy of FPCC Policies & Procedures.
5. Orientation to applicable grants.

# IV. ADMINSTRATIVE PERSONNEL

## A. CLASSIFICATION

The following are classes of Administrative personnel:

1. Full-Time Employee – works a regular forty (40) hour week and is employed for the year.

2. Full-Time Employee (Academic Year) – works a regular forty (40) hour week and is employed for the academic year. A full-time employee (academic year) may request a 26 pay period contract. Fort Peck Community College will pay the contractual amounts over 26 pay periods. Some fringe benefits, such as retirement however, are limited to 19 pay periods or per contract.

3. Part-Time Employee – works fewer than forty (40) hours per regular work week for a predetermined amount of time. Part-time employees are hired under the authority of the President of the College.

4. Temporary Employee – may work full time, but does not occupy a full time position and is not eligible for employee benefits provided by law. Temporary employees are hired under the authority of the President of the College.

5. Probationary Employees – are administrative employees, either full or part time, who have not completed a ninety (90) day probationary period. If administrative personnel are on an academic year contract and complete a ninety (90) day probationary period, the employee will not have to complete another probationary period if hired for the next consecutive academic year. Annual Leave and sick leave will be accrued during the probationary period; however, annual leave cannot be used for the initial 30 days. Unapproved absence during this period will be counted as leave without pay. If the employee is dismissed or resigns during the probationary period, he/she will receive payment for accrued annual leave. Employees are not eligible for the provisions of the grievance procedures during this period; however, it is the responsibility of the President to advise those if any areas of deficiency. At the end of the probationary period, the immediate supervisor shall complete a job performance evaluation. Based on the evaluation, the President shall recommend a change to permanent status or termination of employment.

6. General Fund/Grant Personnel – General Fund Personnel are those persons employed under the basic funding system of FPCC. FPCC has an obligation to maintain the employment of these individuals providing that College funding is sufficient. Grant personnel are those individuals who are wholly or partially supported by federal, state or private grants. These persons will be issued contracts within the limitations of the particular grant providing the salary. When these grants expire, FPCC does not maintain an obligation to provide employment to these individuals. However, these persons will be given preference in applications for appropriate College positions.

# B. CONDITIONS OF EMPLOYMENT

## 1. Annual Leave for Administrative Personnel

a. Annual leave is earned at the rate of four (4) hours per bi-weekly pay period during the first three years of consecutive or cumulative employment. Annual leave is earned at the rate of six (6) hours per pay period between four and fifteen years, and eight (8) hours thereafter. No Annual Leave will be accrued during a pay period in which the employee has leave without pay. The FPCC Board reserves the right to negotiate individual leave time during the contract negotiations.

b. Employees will accrue annual leave from the day of employment, but no annual leave may be taken until completion of the initial 30 days of the (90) day probationary period.

c. Annual leave up to a total of (215) two hundred and fifteen hours may be carried over for use in the next contract year. Any unused leave exceeding (215) two hundred and fifteen hours will be forfeited, unless approved by FPCC Board of Directors.

d. A holiday falling within an approved annual leave period shall be recorded as holiday pay and not counted as annual leave.

e. An employee wishing to take annual leave that will extend over a three (3) day period or more should request approval five (5) working days in advance from the President on a "Request for Leave" form. The form must be approved and signed by the immediate supervisor and the President and submitted to the accounting department 24 hours before leave commences.

## 2. Sick Leave

a. All full time employees will be entitled to receive sick or injury leave with pay at their normal rate of pay.

b. Administrative staff will accumulate sick leave at the rate of four (4) hours per pay period.

c. Sick leave attributable to a pre-existing condition will not be allowed for a period of ninety (90) days following the first date of employment.

d. Accumulation of sick leave is unlimited.

e. Sick leave may be used for employee, spouse, parents & dependent children.

f. Except for verifiable emergency situations, employees must notify the supervisor by 8:30 a.m. on the first day of illness to be eligible for sick leave.

g. A doctor's certification will be required for authorization of sick leave exceeding three (3) consecutive days.

h. In order to receive sick leave pay, the employee must submit the "Request for Leave" form, approved and signed by the immediate supervisor and the President.

i. Employees will not be paid for unused sick leave upon termination of employment.

j. Sick Leave Transfer – In the event that an employee (either instructional or administrative) exhausts all available sick & annual leave due to a prolonged illness, FPCC personnel may donate accrued sick leave for the use of the above mentioned person, upon approval of the President.

## 3. Maternity Leave (FMLA)

a. Employees are asked to report pregnancy as soon as possible in order that the employee's health may be protected and plans made for maintaining the employee's job functions during the period of absence. If the employee's duties require activity, which may be injurious to her health, efforts should be made to reassign her temporarily to other work for which she can perform safely.

b. Pregnant employees are required to obtain a Medical Certificate from her physician at least one month prior to the estimated delivery date, should they desire to continue working, stating that the physician is aware of the employee's job responsibilities without undue risk to herself or the child. Such Medical Certificates shall be required weekly, should the employees continue to work, during the four (4) weeks immediately preceding the estimated delivery date.

c. Any accrued sick leave may be granted to an employee to cover the period during which the employee is required to remain in the hospital and the period immediately thereafter in order for the employee to care for the child.

d. A maximum of twelve (12) weeks is allowed for maternity leave.

## 4. Educational Leave

The President may grant up to six (6) hours per week of leave to employees for attendance at approved educational institutions when the education will benefit the College. This includes classes at FPCC.

a. Sabbatical – The president may grant an unpaid sabbatical leave for up to one academic year, to employees for attendance at approved educational institutions for work and/or completion of a degree in their job related field of study. Employees must have been continually employed for six years. The Board of Directors may waive these requirements.

b. Professional Development – The President, upon recommendation, may allow reasonable release time for professional development to Faculty and Staff.

c. Summer Sabbatical – The President may allow administrative leave to attend summer school in a job related field of study. Each employee must match every two days of leave granted with one day of annual leave.

## 5. Military Leave

The President may grant military leave at full salary (or Leave Without Pay) to employees who are members of any reserve component of the United States Armed Forces for required training and duty for a period not exceeding (15) working days during any one calendar year.

## 6. Jury or Witness Duty

Upon written request to the President, an employee shall be granted jury leave, provided that this absence is obedience to a subpoena of direction by proper authority to appear as a witness for the Federal Government, State of Montana, City, Fort Peck Tribal court, or political subdivision thereof or in their official capacity as an employee. The employee will be paid his regular rate of pay; however, any reimbursement for jury or witness duty shall be endorsed to FPCC.

## 7. Voting Leave

On the day of an election, any employee may be absent with pay for two (2) hours as specified by the President between opening and closing of the polls for the purpose of voting provided that his work day commences within two (2) hours subsequent to the opening of the polls and ends more than two (2) hours prior to the closing of the polls.

## 8. Emergency Leave

Upon written request by the employee, the President shall grant emergency leave for death in the immediate family. The leave shall be up to three (3) days for Administrative Leave on each occasion. Immediate family means the employee's spouse, father, mother, brother, sister, son, daughter, son-in-law, and daughter-in-law and spouse's father, mother, brother, and sister; and the employee's uncle, aunt, grandfather, and grandmother. Upon prior authorization, the President or supervisor may grant leave to attend funerals.

The President may excuse with full pay, all absences due to emergencies such as extreme weather conditions and other natural disasters, which prevent employees from reporting to work.

## 9. Administrative Leave

The Board of Directors, through contractual negotiations with a FPCC employee, may grant administrative leave (which is leave with pay) at their discretion. The President may grant up to three (3) days of administrative leave for FPCC personnel if the President deems that the request is related to the overall mission of the College or the well- being of the Fort Peck Tribes.

## 10. Religious Leave

Administrative leave may be granted by the President and/or Board of Directors for participation in traditional activities associated with "Sun Dance" ceremonials, Sioux or Assiniboine, provided the participant requesting leave is a dancer and/or group leader of such activity. Leave can be granted for such other religious activities such as feast, sweats, etc. The employee must use annual leave at the discretion of the President.

### 11. Leave of Absence Without Pay

The Board of Directors may grant a full-time employee leave without pay for a period not to exceed one year. The position shall not be held open and the Board shall require the employee to sign a waiver of guarantee of re- employment as a condition of granting the leave. The only advantage the employee can expect is preference in re-employment. The President may grant a full-time employee leave without pay for a period not to exceed one calendar month.

### 12. Absence Without Leave

Failure of an employee to report for work at the expiration of an authorized leave, or failure to request an extension of such leave shall be considered absence without pay. Unauthorized absence without pay is subject to disciplinary action.

### 13. Exercise Leave

FPCC will grant employees 30 minutes per day administration leave or 2 ½ hours per week for noon or other scheduled exercise periods.

## C. HOLIDAYS

FPCC shall observe all Federal holidays and other holidays as determined by the Fort Peck Tribal Executive Board as follows:
New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Fourth of July, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day. Those holidays falling on Saturday will be observed on the preceding Friday and those falling on Sunday will be observed on the following Monday. In order to receive pay for a legal holiday, an employee must be working or on paid leave status on the work days immediately preceding and following the holiday. FPCC may observe holidays officially declared by the Tribal Government provided that they do not interfere with the operation of the College.

## D. PAY PERIODS AND DEDUCTIONS

Pay periods are bi-weekly, beginning on Monday and ending on Friday. There are 26 pay periods per year. Paychecks are issued on the second Friday of the pay period. The College is authorized to make the following payroll deductions: federal income tax, federal social security (FICA), state income tax, and optional employee insurance or retirement plans. Other deductions must be authorized by the employee and administration.

## E. HOURS OF WORK

Administrative staff is considered contracted professionals and it is understood that the accomplishment of the duties in their job role and the achievement of the mission of FPCC takes precedence over standard hours of work. However, normal office hours will be from 8:00 a.m. to 4:30 p.m. with thirty (30) minute lunch break, Monday through Friday for a forty (40) hour week.

# V. FACULTY

## A. CLASSIFICATION

1. Full-Time Instructor – A full-time instructor is a faculty person who is issued a contract for the academic year (19 pay periods) and teaches a full academic schedule. Full- time faculty is eligible for all fringe benefits offered by FPCC during their contract term. All full-time faculty are required to teach between 15 and 18 credits per semester. Any instructor teaching more than 18 credits in a semester will be paid an additional $500 per credit. Any instructor teaching less than 15 credits will be assigned other duties at the discretion of the Academic Vice President. Any instructor who is assigned additional duties and who is also teaching 15 or more credits will be paid an extra stipend to be negotiated between the Academic Vice President and the instructor. The Academic Vice President can assign instructors with less than 15 credits to teach an evening class. All other full-time instructors who teach a class after 4:30pm can adjust their day hours accordingly (with the approval of the Academic Vice President) or will be paid an additional $500 per credit for teaching the class. Independent Study with individual students is the prerogative of the Instructor with the approval of the Vice-President of Instruction and is not counted as part of the credit hour load.

Full-time faculty workload are determined by credit load and classes assigned. Reasonable effort shall be made to maintain equity in load to arrive at an average teaching load of fifteen to eighteen (15-18) credit hours for all instructors. Each instructor shall post and maintain office hours to meet the needs of his/her students, prepare for his/her classes, and attend faculty meetings. In the event regularly scheduled classes are canceled, the instructor may, after consultation with the VP of Academics, be assigned to other duties including classes in the evening schedule.

Full-time faculty may request a 26 pay period contract. Fort Peck Community College will pay the contractual amounts over 26 pay periods. Some fringe benefits, such as retirement however, are limited to 19 pay periods.

Full-time faculty can be classified as either General Fund or Grant Personnel as defined in Section IV, 6, of the Administrative Personnel, Section, page 9.

Faculty does not have a probationary period, but may be dismissed or terminated as specified in Section VIII, Termination.

2. Part-Time Faculty – Individuals who teach less than 15 hours per semester are classified as part-time faculty. Part-time faculty sign an individual contract for each course taught and are paid on a standard per-credit hour rate. All summer faculties are considered part-time.

3. Vocational Instructors – are full time faculty contracted in specific skill areas for teaching and supervision not to exceed thirty-seven and a half (37.5) hours per week.

4. Continuing Education Faculty – community interest or continuing education classes may be offered under the direction of the Vice President for Academics. Instructional services may be contracted based upon special needs of the program.

# B. HOURS OF WORK

Faculty is considered contracted professionals and it is understood that the accomplishment of the duties in their job role and the achievement of the mission of FPCC takes precedence over standard hours of work. However, normal office hours will be from 8:00 a.m. to 4:00 p.m. with thirty (30) minute lunch break, all instructors will be on campus between 8am and 4pm Monday through Friday, with 30 minutes off for lunch. During this time period, instructors are to be in the classroom, in their office, attending a meeting, participating in a school-related activity, or participating in professional development. Faculty may also be allowed to participate in any other activity approved in their contract, such as exercise time. Instructors cannot include traveling time at the beginning or end of the day as part of their work day.

# C. CONDITIONS OF EMPLOYMENT

## 1. Annual Leave

Since the teaching faculty must be present when classes are in session, they do not earn annual leave nor are they entitled to take annual leave. They are, however, granted equivalent leave days to be taken on Christmas Break and Spring Break and such other days when classes are not in session.

## 2. Sick Leave

All teaching faculty will be entitled to receive sick or injury leave with pay at their normal rate of pay. Each Instructor shall have a total of ten (10) days of sick leave per contract. Accumulation of sick leave is unlimited and may be carried from contract period to contract period. For accrual purposes, instructors will accumulate sick leave at the rate of four (4) hours per pay period.

Except for verifiable emergency situations, employees must notify the Academic Vice President by 8:30 a.m. on the first day of illness to be eligible for sick leave. A doctor's certification will be required for authorization of sick leave exceeding three (3) consecutive days.

In order to receive sick leave pay, the employee must submit The "Request for Leave" form, approved and signed by the VP of Academics.

Sick leave may be used for employee, spouse, parents & dependent children.

Employees will not be paid for unused sick leave upon termination

of employment.

### 3. Personal Leave

Full-time faculty may be granted up to five (5) days of personal leave. Personal Leave must be approved in advance by the Academic Vice President. Personal leave does not accrue nor will employees be paid for unused personal leave upon termination of employment. The leave is intended for unavoidable work interruptions of a personal nature. It is not vacation time.

### 4. Other Leave

Such as maternity leave, educational leave, voting leave, emergency leave, administrative leave, leave without pay, and absence without leave, are identical to leave for administrative personnel and Section IV. Instructional faculty is not eligible for military or religious leave in as much as activities fall outside of the typical academic year.

# VI. EVALUATION

## PERFORMANCE EVALUATION

The President, or the designated supervisor, shall complete a performance evaluation for employees on probationary status prior to the end of the ninety (90) day probation period. Employees on permanent status shall be evaluated once a year. The Board evaluates the President annually. The performance evaluation shall consist of an interview and a written report. The evaluation criteria shall include, but not be limited to, the following:

- The employee's quality of work, including accuracy, precision, completion and adaptability;
- The employees work habits, including punctuality, reliability, organization, and efficiency and;
- The employees work attitudes, such as interest and enthusiasm, acceptance of supervision and recommendations, adaptability to changing conditions, ability to accept responsibility, and relationships with other staff and students.

During the interview, the President or the designated supervisor, shall review the employee's performance, explain the employee's strengths and weaknesses, and make recommendations for improvement whenever necessary. The employee should also use this opportunity to discuss his/her concerns and suggestions.

Following the interview, the President or supervisor, shall complete a written evaluation report. This report must specify a recommendation for either:

a.) Continued employment
b.) Termination of employment subject to the conditions outlined in the sections following.

A copy of the report shall be presented to the employee for his/her signature and comments. The completed report, and any accompanying comments or documentation, shall be placed in the employee's personnel file.

# VII. DISCIPLINARY ACTION

The President may take disciplinary action for any of the following: Insubordination, excessive tardiness, or unexcused absence, violence or threats of violence, unsatisfactory job performance, drinking alcoholic beverages or use of drugs during working hours, misuse of program funds, or habitual acts of misconduct.

The President shall initiate the following disciplinary actions:

1. Verbal Warning – documentation on the nature of the problem, content of the warning, and date of discussion shall be placed in the employees personnel file. Should the offense be continued or repeated, the President shall initiate corrective action.

2. Written Warning – the reprimand must be a written notice clearly stating the reasons for the reprimand and suggestions for correction. Failure of the employee to make a satisfactory improvement shall result in either suspension or termination. If the President believes that the employee can rectify the problem(s), the employee may be placed in probationary status.

3. Suspension – the employee shall be notified in writing of the reasons, and duration of the suspension and a clear statement of the conditions of the employee must meet in order to continue employment. The employee shall be suspended without pay for a period not exceeding thirty (30) days and shall acknowledge receipt of the suspension by his/her signature. Notice of the suspension shall be placed in the employee's personnel file and a copy forward to the Board of Directors. If the President sees that there is likelihood that it will only aggravate the situation, the President may proceed to terminate the employee.

4. Termination – If the disciplinary procedures have been exhausted and the employee's performance remains unsatisfactory, the employee's employment shall be terminated.

The following shall be considered adequate grounds for immediate dismissal: conviction of a felony during the period of employment at FPCC or the willful concealment of such a crime in making application for employment; fraud or misrepresentation of professional preparation, accomplishments, or experience in connection with initial firing or in the submission of materials for evaluation, or salary increments; the selling of drugs on FPCC property or to FPCC students; or mismanagement of funds for personal gain.

# VIII. TERMINATION OF EMPLOYMENT

## Resignation

Administrative personnel shall submit a letter of resignation at least two weeks prior to the effective date. Faculty members intending to the academic year shall submit a written resignation by March 1st of the terminating academic year.

## Dismissal

An employee's employment may be terminated when he is unable to perform his duties because of physical or mental impairment supported by medical documentation supplied by an examining physician.

## Lay-Offs

An employee may be laid off because of job reorganization, staff reduction, or other administrative adjustments. Primary, but not exclusive, consideration for continued employment will be given to those employees with the most seniority. Employees who have been laid off can request that their file be kept active and they shall be given preferred status for re-employment.

## Disability

Disability insurance is provided by FPCC for full-time employees. An employee may be terminated if he/she is unable to perform their duties because of physical or mental impairment. The employee will need to supply supporting medical documentation to FPCC.

## Non-Renewal Not for Cause

The provisions of this section shall apply when a faculty member is terminated from employment because College finances or a drop in enrollment requires a reduction in the number of faculty. In cases of staff reduction, the College will:

- Meet with the faculty on the nature of the proposed cutback and discuss the options and solutions at least two months in advance, and make every effort to place the faculty member in another vacant or new faculty position within the College.

## Termination for Cause

Any instructor or administrative staff member may be terminated for cause by the President. Adequate cause is conviction of a felony or a crime involving moral turpitude or willful concealment of such a crime in making application for employment; failure to carry out job responsibilities and such duties as may be assigned which relate directly to the accomplishment of the mission of the institution; and fraud or misrepresentation of professional accomplishments or experience.

## Non-Renewal

The FPCC Board of Directors reserve the right to not renew any employment contract if the Board feels that the institution will not benefit from the employment of a particular individual.

# IX. GRIEVANCE PROCEDURE

A grievance, as recognized by these procedures, is defined as an employee's unresolved dissatisfaction with any aspect of working conditions or working relationships. Grievances shall include, but are not limited to, such matters as employees/supervisor relationships, duty assignments, hours worked, working facilities and conditions, policies for granting leave, disciplinary actions and similar actions.

Any employee who is aggrieved by any action which related to working conditions and working relationships or to College policies, rules and regulations and which cannot be resolved through informal discussions with the immediate supervisor and/or the President may file a grievance under the provisions of this section. Grievances should be filed within thirty (30) days of the date of occurrence of the actions(s) causing the grievance. The person filing the grievance should be free from restraint, coercion, considered as reflecting unfavorably on either the employee or the administrator, but are to be considered the employee's expressed right.

All full-time employees who have satisfactorily completed their probationary period and are on permanent status are eligible to make use of the formal grievance procedure. Part-time employees shall be eligible if a statement of eligibility is included in their contract agreement.

A grievance must meet certain criteria:

The aggrieved employee may, if desired, select another employee to represent his/her in the grievance procedure. The aggrieved employee, however, must be present at each grievance meeting.

STEP1. The employee shall present the grievance to the President in writing.

STEP 2. The President shall, within five (5) working days, meet the aggrieved employee (and their representative) and attempt to resolve the grievance. The President shall convey a written disposition of the grievance to the aggrieved employee either at the meeting or within two working days following the conclusion of the meeting. If the aggrieved employee is not satisfied or if the five (5) days have passed without any action by the President, then:

STEP 3. The employee may appeal his/her grievance to the Board. The aggrieved employee must present his/her grievance to the Board Chairman in writing and request that the matter be placed in the agenda of the next regularly scheduled board Meeting constitutes forfeiture of that employee's right to appeal to the Board.

STEP 4. The Board's action on an employee's grievance constitutes the final administrative grievance appeal.

# X. EMPLOYEE BENEFITS

All employees shall be required to contribute to Social Security in the amount required by federal law, with such amount to be withheld from the employee's wages. The College shall match the employee's contribution. As required by law, the College shall pay Disability on behalf of the employees. State and federal unemployment insurance premiums shall be paid by the College as required by law.

Life insurance, health insurance, tax shelters, and retirement programs may be offered to employees by the College. All of these benefits will be available for group participation and may require employee contributions.

The College may waive tuition for full-time employees who wish to enroll in a class. The waiver does not include fees or textbook charges.

# XI. STAFF AND COMMITTEE MEETINGS

Administrative staff meetings, with the President as chairman, shall be held as needed. Unless excused by the President in advance of the meeting, all administrative staff members are required to attend.

All faculty and staff members are expected to serve on committees as assigned by your supervisor or the President, such as the committees for curriculum, vocational, education, and library.

# XII. EMPLOYEES FUNDED BY OTHER SOURCES

Employees funded by sources other than FPCC, but administratively considered to be under the supervision of the College, shall abide by the policies and procedures in this manual unless such compliance is specifically prohibited by rules and regulations of the funding agency.

# XIII. OTHER POLICIES AND PROCEDURES

Internal policies and procedures, such as those dealing with the instructional program, registration and student records, financial aid, travel, purchases, and student services are maintained by administrative staff working in those areas and are available in written form for all College staff. College staff & faculty are expected to thoroughly familiarize themselves with the appropriate procedures before engaging in the corresponding activity (for example, before traveling for the College, staff should know the travel procedure.)