

**Mott Community College**  
**BOARD POLICY**

**SECTION 5000**  
**HUMAN RESOURCES**

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5000 HUMAN RESOURCES

5000 General

This section contains the Board's primary policies concerning the College's Human Resources. The focus of these policies is the mission of the College--meeting the needs of our students and community. The Board believes that faculty and staff are crucial to the College's success and that the College's mission can best be met in an atmosphere:

- Of open communication between all faculty and staff characterized by the full, free sharing of information;
- Of trust, mutual respect and understanding; and
- Where employees are empowered, assume initiative and responsibility; and
- Where employees are active participants in helping the College change and are committed to personal growth and acquiring new skills to meet the needs of an evolving and dynamic institution

The goal of these personnel policies is to create the best educational climate for the students of the College. These policies are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between Mott College and any of its employees.

As Mott College continues to grow, the need may arise and the Board reserves the right to revise, supplement, or rescind any policies or portion of these policies from time to time as it deems appropriate, in its sole and absolute discretion. These policies have been developed at the discretion of the Board and may be amended or canceled at any time, at the Board's sole discretion. These provisions supersede all existing policies and may not be amended or added to without the express approval of the College's Board of Trustees.

General: Employees at the College are referred to in several ways in these policies. For example, the term “faculty and staff” includes all employees; the term “employee” also refers to all faculty and staff. The term, “faculty” refers to employees covered by the Education Association labor agreement. The term “administrators” is used to distinguish those employees who are not covered by a collective bargaining agreement. Supervisors and managers is a term used to describe employees who have supervisory and managerial responsibility; this group encompasses Exempt or non-union employees as well as employees represented by the S&M bargaining unit.

5002

Public Employment Labor Relations Act (PERA)

General: The Board recognizes its obligations under the Public Employment Relations Act and all negotiated collective bargaining agreements. The policies contained in this section are not intended to supersede any negotiated provisions found in any collective bargaining agreement or to circumvent the Board's obligation to bargain under the Public Employment Relations Act.

5003            Nature of Employment for Administrators

General:        Administrators enter into employment with Mott College voluntarily through a written employment contract. Execution of the College's standard employment contract is a condition of employment.

*Revised: May 21, 2001*

5004            Management Responsibility and Authority

General:        Management is expected and authorized to implement policies and procedures related to Human Resources on an ongoing basis as needs arise and as deemed necessary and appropriate by Management.

5005            Independent Contractors

General:        The College will follow Internal Revenue Service guidelines when utilizing the services of independent contractors.

General: The Mott Community College Board of Trustees encourages utilization of the experience, expertise and special talents and manpower potential of citizens in capacities appropriate to their background, training and prior experience, provided such use is not in conflict with the terms of a collective bargaining agreement. These volunteers can assist college staff in carrying out goals and objectives, and their involvement in college programs will enhance and increase two-way communication between students, faculty, staff and the community.

The following basic policy statements apply:

1. Citizens are encouraged to participate and become involved in college programs as volunteers with the approval and under the supervision of College personnel.
2. Volunteers may be used to support College staff and faculty. Such use shall conform to contractual agreements between the Board of Trustees and employee groups.
3. Each supervisor/manager shall make known those areas where volunteer workers can be used in support of College programs.
4. Volunteers shall be approved, supervised and trained under the direction of the College's supervisors and managers. Appropriate training may include, for example, bloodborn pathogen, HIV, hazardous waste disposal, etc.
5. Records related to the use of volunteers will be maintained in the Human Resources Department.

General: The Mott Community College Board of Trustees is responsible to see that the employment conditions and work standards are established for all employees. These work standards are established primarily through master contracts, work rules, administrative directives, Board policies and state laws.

In an effort to maintain a high standard of work performance, the Board of Trustees expects all employees to be supervised and evaluated. It also supports the concept of corrective discipline as a valid and proven method in assisting personnel to maintain proper performance of their assignment responsibilities when applicable.

The following basic policy statements apply:

1. Each employee is responsible to carry out assigned job responsibilities in accordance with the standards established by the College.
2. Supervisors and managers are charged with the responsibility for supervising, directing and evaluating employees of the College.
3. The President and designated staff shall develop an administrative directive which defines corrective discipline and sets forth guidelines for the administration of corrective discipline.

5100            Compensation and Benefits

5100            Compensation Philosophy

General:        Total compensation (as measured by the combined economic value of wages and benefits) should reflect the College and community's ability to pay and the Board's desire to compete effectively in the various labor markets in which the College recruits.

5101            Employee Assistance Program (EAP)

General:        The Board, administration, and leadership of each bargaining unit strongly believe that appropriate assistance can often help prevent deterioration of job performance, assure continued productive employment, and improve individual well-being.

The following basic policy statements apply:

1.        Each group endorses the concept of an employee assistance program (EAP).
2.        The EAP is a resource for all College employees. Its primary focus is to help employees and their family members who are experiencing personal problems affecting their health and/or job performance to obtain voluntary assistance.

General: Charles Stewart Mott Community College will provide tax-sheltered plans which are available under Internal Revenue Code 403b to all eligible employees. These plans must also conform to the laws of the State of Michigan.

The following basic policy statements apply:

1. The President or his designee will develop a procedure for determining the number and qualifications of providers of such plans and for administering the plans.
2. The Charles Stewart Mott Community College shall not assume responsibility or liability for any tax-sheltered plan chosen by an employee.
3. The insurance company and the College employee are responsible for adhering to the maximum dollar deduction requirement as determined by the Internal Revenue Service (IRS).

5103            Reimbursement of Employee Expenses

General:        Charles Stewart Mott Community College shall reimburse employees for reasonable out-of-pocket expenses incurred while traveling on authorized College assignments or while engaged in authorized College business.

The following basic policy statements apply:

1.        In the case of expenses covered by agreement with bargaining units, the expense reimbursements shall be in accord with the conditions of said agreements.
2.        Mileage reimbursement shall be paid at the IRS authorized level.
3.        All other reimbursements shall be in accordance with business office procedure.

General: Faculty and staff who retire from the College after the equivalent of ten years of continuous full-time service and who meet the requirements for a regular or deferred retirement as outlined by MPSERS (including employees in the Optional Retirement System) shall be granted Emeritus status.

The following basic policy statements apply:

1. Emeritus status entitles the retiree to use the faculty/staff parking ramp, free course tuition for credit and non-credit courses at the College (with provision for reimbursement identical to active employees), use of the Mott Library and inclusion on mailing lists related to activities at the College if requested by the retiree.
2. Dependents (as defined by the Internal Revenue Service) of employees who qualify for Emeritus status are also eligible for free course tuition for credit and non-credit courses at the College (with provision for reimbursement identical to active employees).

General: The benefits provided to employees who qualify for Emeritus status shall also be provided to disabled faculty and staff (and their eligible dependents as defined by the IRS in the case of Mott tuition) who have given the College the equivalent of five years of continuous full-time service and who have been on an extended medical leave for a minimum of three years.

The following basic policy statements apply:

1. The provision for reimbursement of tuition shall be identical to the terms applicable to active employees.
2. Free course tuition for credit and non-credit courses at the College shall be provided to the dependents (as defined by the IRS) of deceased employees who have given the College the equivalent of ten years of continuous full-time service.
3. The provision for reimbursement of tuition shall be identical to the terms applicable to active employees.

General: Faculty and staff are encouraged to participate jointly with the College in the Development of educational and training materials, programs and courses which promote the interests of the College.

The following basic policy statements apply:

1. Management will develop and administer plans to compensate employee effort in such activities when the employee work effort occurs outside of the scope of his or her ordinary duties and compensation.
2. These compensation plans will provide for equitable treatment based on the nature of work effort and activity and may include, for example, the payment of commissions and royalties.

General: In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Mott College will be based on merit, qualifications, and abilities. Mott College does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, veteran's status, age, disability unrelated to an individual's ability to perform adequately, height, weight, or marital status, political belief or any other characteristic protected by law. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

The following general policy statements apply:

1. The Board of Trustees recognizes that educational experience is enriched through the interaction between students and employees of differing sex, race, ethnic background and handicapping conditions.
2. Qualified candidates are considered for all levels of employment regardless of sex, race, color, religion, age, handicap, sexual orientation or national origin.
3. Equal employment opportunities provide for career growth within the College for capable, qualified and loyal employees.
4. Appropriate recruitment and advertising sources shall be utilized to promote the College's diversity efforts.
5. Mott College will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship.
6. In addition to a commitment to provide equal employment opportunities to all qualified individuals, Mott College has established an affirmative action plan to promote employment opportunities for individuals in certain under-represented protected classes throughout the organization.
7. Any employee with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Chief Human Resources Officer. Employees can raise concerns and make reports without fear of reprisal.
8. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

General: Mott Community College is committed to provide a safe, healthy environment for all students, employees and all individuals associated with the College, that promotes respect, dignity, and equality, it is the purpose of this policy to create and preserve an educational environment that is free from unlawful sexual harassment and discrimination on the basis of sex.

In order to provide a safe and healthy environment that encourages respect, dignity and equality, it is College policy to provide an educational environment free from sexual harassment and discrimination on the basis of sex. Under State and Federal laws, the College considers sexual harassment to be unlawful discrimination on the basis of sex.

The following general policy statements apply:

1. Mott Community College is committed to maintaining an environment free of unwanted, objectionable and disrespectful behavior of a sexual nature. Such behavior subverts the mission of the College and threatens the careers, educational experience and well-being of students, faculty and staff.
2. A charge of sexual harassment is a serious and emotional one and is not to be taken lightly by complainants. Thus, false or malicious complaints of sexual harassment will result in appropriate corrective action or disciplinary action taken against the complainant.
3. This policy shall apply to all persons in the College community. College community is defined as Mott Community College Board of Trustees' members, employees, students or third-parties (i.e. College visitors, vendors, contractors, consultants, agents, maintenance workers, etc.).
4. The College strictly prohibits all forms of sexual harassment on College grounds, College vehicles, and at all College-sponsored activities, programs, and events, including those that take place at locations outside the College. The College also strictly prohibits all forms of sexual harassment against individuals associated with the College whether or not the harassment occurs on College grounds.
5. The College encourages and expects all victims of sexual harassment and persons with knowledge of sexual harassment to report the harassment immediately. All complainants have the right to be free from retaliation of any kind.
6. The College will promptly investigate all formal, informal, verbal and written complaints of sexual harassment, and take prompt action to end the harassment, up to and including termination.
7. Complaint and investigation procedures shall be developed under the responsibility of the President and his designees to ensure compliance and enforcement with this Policy. These procedures will be published and distributed.

Policy Addendum:

1. Definitions and Examples of Prohibited Conduct: Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other behavior of a sexual nature and other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- b. Submission to or rejection of such conduct is used as a basis for a decision affecting an individual's employment; or
- c. Such conduct or communication has the purpose or effect of unreasonably interfering with an individual's work; or
- d. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment.

Sexual harassment encompasses any unwanted sexual attention. Examples of behavior encompassed by the above definition may include, but are not limited to the following:

1. Quid Pro Quo or “something for something” harassment can occur when an individual's behavior is such that a reasonable person would believe that the granting or withholding of tangible academic or job benefit shall be based upon the granting of sexual favors.
2. Hostile Work Environment can be created by unwelcome conduct of a sexual nature, including but not limited to the following:
  - a. Threats or insinuations, which would cause a reasonable person to believe that sexual submission or rejection will affect his/her reputation, employment, advancement or any conditions which concern the victim's standing at the College;
  - b. Direct propositions of a sexual nature;
  - c. Subtle pressure for sexual activity, an element of which may be conduct such as unwelcome sexual leering, or repeated requests for dates;
  - d. Conduct (not legitimately related to subject matter of work, in which one is involved) intending to or having the effect of discomforting and/or humiliating a reasonable person at whom the conduct is directed. This may include, but is not limited to, comments of a sexual nature or sexually explicit statements, displaying sexually suggestive objects, or pictures, using crude or offensive language, questions, jokes or anecdotes, and unnecessary touching, patting, hugging or brushing against another person's body;
  - e. Physical assault, which is behavior of a criminal sexual nature. Examples include forcible sexual abuse, or taking indecent liberties with another individual.
3. Confidentiality: It is College policy to respect the privacy and anonymity of all parties and witnesses to complaints brought under this policy. However, because an individual's need for confidentiality must be balanced with the College's obligations to cooperate with police investigations or legal proceedings, to provide due process to the accused, to conduct a thorough investigation, or to take necessary action to resolve a complaint, the College retains the right to disclose the identity of parties

and witnesses to complaints in appropriate circumstances to individuals with a need to know.

4. Retaliation Prohibited: Any act of retaliation against any person who opposes sexually harassing behavior, or who has filed a complaint, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a sexual harassment complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to the following: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension, exclusion, or termination.
5. Policy Awareness, Dissemination and Review: A summary of this policy and procedures shall be posted in a prominent place in College facilities where employee information is ordinarily displayed.

The Policy shall also be published in student registration materials and other appropriate College publications as directed by the President.

All new employees shall receive information about this policy and procedures at new employee orientation. All other employees shall periodically be provided information regarding this policy, its related procedures and the College's commitment to a harassment-free learning and working environment.

Supervisors and Managers who have specific responsibilities for investigating and resolving complaints of sexual harassment shall receive periodic training on this policy and related legal developments.

Members of the College community are responsible for knowing and understanding the College's policy prohibiting sexual harassment. Faculty and staff who do not understand the policy should contact their immediate supervisor. Supervisors and all others who need assistance in understanding, interpreting or applying the policy should contact the Office of Human Resources.

Each employee in a supervisory position has the responsibility to prevent such activity and to treat every complaint of sexual harassment seriously. Supervisors are required to immediately report incidences or complaints of sexual harassment to the Office of Human Resources. Any employee who is aware of sexually-oriented offensive behavior is also responsible for reporting this behavior to the Office of Human Resources.

General: The Board is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally-protected characteristic will not be tolerated.

The following basic policy statements apply:

1. Any employee who wants to report an incident of unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact any other member of management. Employees can raise concerns and make reports without fear of reprisal.
2. Any supervisor or manager who becomes aware of possible unlawful harassment should promptly advise the Chief Human Resources Officer or one of the College's Vice Presidents who will handle the matter in a timely and confidential manner.
3. Anyone engaging in unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

5300            Labor and Employee Relations

5300            Recognition of Bargaining Units

General:        The Board shall not recognize by stipulation any bargaining unit within the College. All units desiring recognition by the Board shall do so through an election conducted by the Michigan Employment Relations Commission as provided by statute. The following bargaining units are recognized by the Board:

The Mott Community College Education Association;  
The Professional-Technical unit, affiliated with the Michigan Education Association;  
The Supervisory and Managerial Unit, associated with the UAW;  
The Secretarial/Clerical unit, associated with Service Employees' International Union, of Local 591, AFL-CIO;  
The Maintenance and Operations unit, associated with Service Employees' International Union, of Local 591, AFL-CIO;  
The Public Safety Officers Union, associated with Service Employee's International Union, of Local 591, AFL-CIO.

The following basic policy statements apply:

1.    Board Negotiating Agents: The President shall appoint bargaining teams to represent the College in negotiations. The President, in consultation with the Executive Cabinet, shall recommend broad, strategic bargaining objectives to the Board of Trustees at the beginning of bargaining.
2.    Contract Approval: At the conclusion of contract bargaining, and following member ratification, the President shall present the proposed agreement to the Board for its consideration.
3.    Contract Administration: Management is delegated the authority to resolve grievances and enter into letters of understanding or agreement which clarify or interpret existing contract language during the term of a collective bargaining agreement. Agreements which change the collective bargaining agreement itself must be approved by the Board.
4.    Staff Job Action: The Board believes that, according to current law, it is illegal for any employee group to engage in a strike, walk-out, slow-down or other concerted action.
5.    The Board shall explore all legal avenues available and implement a course of action which it deems advisable in order that the College may be kept open for the benefit of the students.

General: The Board of Trustees believes that recognition of faculty and staff for outstanding and/or unusual achievement is an important part of the educational process. Such recognition tends to give employees reinforcement and public visibility for positive accomplishments. The Board of Trustees supports wide recognition for staff members in academic, job-related, social and personal accomplishments.

The following basic policy statements apply:

1. Employees receiving special awards shall be publicly recognized when possible.
2. Employees and board members are encouraged to give personal recognition through praise, formal action by the Board, etc.
3. The President shall use various media to publicly acknowledge outstanding accomplishments of Mott Community College faculty and staff.
4. Employees shall be given recognition for outstanding publications.

5400            Records

5400            Maintenance of Records

General:        Personnel files for each employee shall be maintained by the College's Human Resources Office in accordance with Board policy, State and Federal laws. Human Resources shall have the exclusive authority to determine which documents will be maintained by the College in individual employee or personnel files. Such files will be considered confidential and shall be kept in a secure location.

General: Under provisions of the Michigan Freedom of Information Act, some public records may be exempt from disclosure. The Board of Trustees establishes this policy to identify the person/circumstances under which employee records would be protected from public scrutiny.

The following basic policy statements apply:

1. General access to employee records shall be given to the staff members designated by the President and designated staff and to a member of the Board of Trustees if records relate to the authorized duties or responsibilities of the individual Board member established by the Board.
2. The employees shall have access to their personnel records at all reasonable times; i.e. during regular business hours.
3. The right of access includes the right of the employee to make written objection to any information contained in their personnel file. The written objection shall be signed by the employee, dated and become part of the employee's personnel file.
4. No other person shall have access to employee personnel records except under the following circumstances:
  - a. Employee gives written consent to release the records and specifics of the records to be released and to whom they are to be released.
  - b. Each request for consent shall be handled separately. Blanket permission for release of information shall not be accepted.
  - c. Personnel records shall be released when subpoenaed or under court order.
5. Directory/statistical information such as salary, assignment, special certification, etc., may be released upon request of a district resident.
6. The law provides that exemption of records be balanced against a test of public interest; therefore, exemptions may be determined on a case-by-case basis.

General: The College will not release information from an employee's personnel file unless required to do so by law or with the written permission of the employee. Under no circumstances will the College or its representatives provide any statement regarding eligibility for rehire.

The following basic policy statements apply:

1. Only the employee's current and past immediate supervisors and the supervisor of the immediate supervisor(s) may respond to requests for references on current or former employees from prospective employers and then, only if:
  - a.) Permission has been granted, in writing, by the employee; and
  - b.) The employee has released the College from all liability for responding to the request; and
  - c.) The information provided is true, complete and consistent with information contained in the employee's personnel file.
2. Any other College employee who serves as a reference for a current or former employee is acting outside of the scope of their employment relationship with Mott College, will not be covered by liability insurance provided by the College for employees performing their duties, and may expose themselves, individually, to legal liability stemming from the content of their reference.

5500        Safety

5500        General

General:        The Board shall attempt to ensure staff health and safety during working hours. The Board shall comply with the provisions of the Michigan Occupational Safety and Health Act, including those provisions regarding the employee's right to know of hazardous conditions or materials.

The following basic policy statements apply:

1.        The President shall develop appropriate procedures for implementing occupational safety and health activities.
2.        Each employee is expected to obey safety rules and to exercise caution in all work activities.
3.        Employees must immediately report any unsafe condition to the appropriate supervisor.
4.        Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

General: By virtue of the broad base of College operations, medical emergencies may arise from time to time involving students, staff, faculty or visitors in College facilities. The Board of Trustees establishes this policy to promote efficient and safe handling of seriously ill/injured persons and to protect College personnel and the College against charges of negligence.

The following basic policy statements apply:

1. The College shall provide first aid training for key personnel in each department.
2. The building administrator/Associate Dean or designee shall be authorized to call for emergency assistance such as the police, ambulance/paramedic unit and request assistance.
3. The President's Office shall be notified in such instances Employees of the College shall take appropriate first aid action or administer cardio-pulmonary resuscitation (CPR) pending arrival of medical personnel and/or police on the scene.
  - a. Emergency information cards shall be maintained for each employee in the appropriate division office.
  - b. An authorized staff member shall accompany the ill/injured person to the hospital and remain there until the parent, guardian or person listed on the emergency information card arrives.

General: Whenever an employee has been diagnosed by a physician as having a communicable disease, such employee shall report the diagnosis and nature of the disease to the immediate supervisor and Human Resources Office. An employee afflicted with a communicable disease dangerous to the public health may be required to withdraw from active employment for the duration of the illness in order to give maximum health protection to other College employees and to the students.

The following basic policy statements apply:

1. All College employees shall maintain the confidentiality of afflicted persons insofar as the health and safety of other persons at the College are not compromised.
2. The employee shall be allowed to return to his or her duties upon termination or remission of the communicable illness, as authorized by a medical professional(s).
3. The Board reserves the right to require a written statement from the employee's physician indicating that the employee is free from all symptoms of communicable disease and to conduct, at its expense, medical evaluations which the Board deems necessary.
4. Communicable diseases as defined in this policy shall refer to any infectious or contagious disease as determined by the State Department of Health and Environment or the United States Centers for Disease Control.

General: No person, with the exception of duly authorized College Public Safety Officers and duly authorized federal, state and local law enforcement officers, shall possess any weapon on property owned or leased by Charles Stewart Mott Community College. College employees, with the exception of duly authorized College Public Safety Officers, are prohibited from possessing weapons while conducting business for the College.

The following policy statements apply:

1. A “weapon” is defined as a firearm, dagger, dirk, stiletto, a knife with a blade over three (3) inches in length, a pocket knife opened by mechanical device or any other object or device which is intended or designed to inflict bodily harm.
2. The President or his/her designee shall determine which College Public Safety Officers are authorized to carry weapons on campus and the type(s) of weapon(s) they are authorized to carry. The President may also grant exceptions to this rule under special circumstances, such as the use of a weapon for instructional purposes in a gun safety course.
3. The College will not tolerate any act of workplace violence committed by or against faculty, staff, students or visitors. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another’s work performance or the College’s ability to execute its mission will not be tolerated. Faculty and staff are strictly prohibited from making threats or engaging in violent acts. Prohibited conduct includes, but is not limited to:
  - (a) Injuring another person physically;
  - (b) Engaging in behavior that creates a reasonable fear of injury in another person;
  - (c) Possessing, brandishing, or using a weapon while on College premises or engaged in College business;
  - (d) Damaging property intentionally;
  - (e) Threatening to injure an individual or damage property;
  - (f) Pranks or horseplay; and
  - (g) Committing injurious acts motivated by, or related to, domestic violence or sexual harassment.
4. This policy encompasses activity which occurs on College property or off College property when the employee is conducting College business as well as threats made via the telephone, fax, electronic or conventional mail, or any other communication medium.

5. Faculty and staff must immediately notify their immediate supervisor or the Campus Safety department of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Employees must also promptly report to their immediate supervisor or the Campus Safety department any behavior they have witnessed which they regard as threatening or violent when that behavior is related to Mott College activities.
6. Violations of this policy will lead to disciplinary action that may include dismissal, arrest and prosecution.

5600            Staffing and Separations

5600            Purpose

General:        The purpose of each selection process shall be to identify the most qualified and most suitable candidate for a position. Factors considered during the selection process will include, but not be limited to, diversity policies; experience, training and education; affirmative action plan; staff development goals; and the terms of applicable collective bargaining agreements.

5601

Affirmative Action Plan

General: The Board has adopted an affirmative action plan which the President is directed to implement. This plan is established to promote employment opportunities for qualified individuals in certain under-represented, protected classes throughout the organization, and will be continually reviewed and updated.

General: The Mott Community College Board of Trustees recognizes the importance of employing capable, qualified faculty and staff with sufficient diversity to satisfy legal requirements and to enable the College to carry out the mission and goals of teaching, learning and community outreach.

The following basic policy statements apply:

1. The employment procedure will adhere to the equal employment opportunity concept and be based on ability, training and experience to ensure justice and equity for all persons.
2. The President and staff shall be responsible for developing and implementing specific interviewing, screening and selection procedures within the framework of this policy.
3. The selection and recommendation process shall be preceded by establishment of need for the position and verification of adequate funding sources.
4. Current job descriptions shall be prepared for all established full time positions prior to proceeding with the employment procedure.
5. A written application will be required of applicants at a point in the selection process identified by the College Human Resources Office.
6. All vacancies for regular positions shall be posted.
7. All positions shall be filled in accordance with the laws, rules and regulations of the United States, the State of Michigan, and the Michigan Department of Education and contract obligations.
8. A recommendation shall be submitted to the President for employment, with subsequent notification to the Board of Trustees.
9. Executive Cabinet positions must be confirmed by the full Board of Trustees.
10. The College affirmative action plan and compliance programs dated 1993-1994 is on file.

General: The President shall have the authority to establish procedures for the recruitment of faculty and staff which are consistent with these policies, which protect the interests of the College and which provide compliance with the various laws regulating employment, including, but not limited to, the Immigration Reform and Control Act of 1986 and the Americans with Disabilities Act of 1990.

The Office of Human Resources shall create a system for the hiring and contracting of human resources in order to meet the operational needs of the College. All such hiring shall be regulated through the Office of Human Resources.

General: The Board of Trustees will approve the total number of positions authorized to be filled in the Table of Authorized Positions. Ordinarily, this determination and authorization takes place concurrently with the approval of the annual budget. Increases in the total number of authorized positions which occur after adoption of the budget must be approved by the Board of Trustees. Senior Management may reduce the number of authorized positions but must report such reductions to the Board. The Office of Human Resources shall be responsible for monitoring the number of authorized positions.

The following basic policy statements apply:

1. The number of regular full- and part-time positions shall be expressed in terms of full-time equivalency (FTE) and each FTE will be fully funded. The FTE shall be allocated or assigned to the President who may further assign it to other managers. Each manager who is allocated FTE may redistribute FTE to various classes of employee groups as necessary to meet the needs of the College provided that:
  - a. Such reallocation cannot result in more staffing than the total number of FTE authorized by the Board; and,
  - b. All such re-allocations must be reported to the Chief Human Resources Officer.

General: The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

The following basic policy statements apply:

1. Relatives of persons currently employed by Mott College may be hired only if they will not be working directly for or supervising a relative or will not occupy a position in the same line of authority within the organization. This policy applies to any relative, higher or lower in the organization, who has the authority to review employment decisions. Mott College employees cannot be transferred into such a reporting relationship.
2. If the relative relationship is established after employment, the individuals concerned will decide who is to be transferred. If that decision is not made within 30 calendar days, management will decide.
3. In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment.
4. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

General: The Mott Community College Board of Trustees supports the concept of development for all employee of the College. Professional development is a benefit and an obligation and priority of the College; an obligation of each employee; and necessary for high quality teaching and organizational excellence. The Board is committed to providing resources during the budget process for this organizational priority. Professional development opportunities shall follow any guidelines found in the current collective bargaining agreements.

The following basic policy statements apply:

1. The Board of Trustees encourages and supports employee development programs and activities which meet the identified needs of College employees.
2. An employee development program shall be established to support implementation of the Mott Community College Strategic Plan.
3. Cooperative employee development activities with local school districts and other educational institutions and compatible organizations is encouraged.
4. Employee development activities may be scheduled before, during and after the work day or work schedule of employees.
5. The Board of Trustees shall approve annually the budget allocations for employee development activities.
6. The Chief Human Resources Officer shall establish an administrative operating procedure to detail procedures for implementation of this policy.
7. The Board requires that any staff member who uses a computer or an advanced piece of technological hardware or software be provided in-service training in its utilization. The Board shall appropriate funds to this end.

General: The Board of Trustees recognizes the educational benefits available to employees given the opportunity to attend conferences and workshops directly related to the staff member's job assignment; therefore, the Board of Trustees establishes this policy to provide an avenue for professional development to broaden and enhance the educational expertise of College employees.

The following basic policy statements apply:

1. The Employee's Supervisor shall authorize attendance of employees to local, state, regional and national conferences/workshops within budget authorization.
2. Employees authorized by their supervisors to represent the College at educationally related conferences, workshops and conventions held by local, state and national associations, agencies, companies and other entities shall be allowed expenses.
3. Employees other than those selected as official representatives may be allowed by their supervisors to attend recognized educational meetings and conferences with no loss of salary but without allowance for expenses.
4. The number of absences allowed for professional meetings is a judgement value which rests entirely with the immediate supervisor and the appropriate senior management approval and is subject to budget limitations for employing substitutes and reimbursement for fees, travel, meals and lodging.
5. Requests for conferences and workshops shall be made in accordance with the appropriate administrative operating procedure.

5800 Working Conditions and Employee Conduct

5800 Staff Conduct

General: As employees of a public and governmental organization, faculty and staff must perform their duties professionally, ethically and legally. All faculty and staff have the responsibility to make themselves familiar with, and abide by, the State and Federal laws and regulations which affect their work, the policies of the Board, and administrative regulations. All staff and faculty are expected to carry out their assigned duties; support and enforce College policies, procedures and regulations; submit required reports; and contribute to the education and development of the College's students. The following guidelines have been prepared to assist employees in understanding the Board's performance expectations while recognizing that it is impossible to define such conduct precisely and completely in a policy statement such as this. Employees who have questions, should direct them to their supervisor or manager.

The following basic policy statements apply:

1. Employees are expected to conduct all College activities, operations and business dealings and relationships with integrity, honesty, and respect for others and in compliance with all applicable laws and regulations.
2. Employees must use College funds and other property solely for the benefit of the College. All disbursements must be lawful and consistent with instructions provided by the College. Transactions must be clearly authorized and properly and promptly recorded. No false or fictitious entries shall be made in books, records, accounts, or in company communications for any reason. No payment or transfer of funds or assets shall be made for any purpose other than that described by the supporting documents, and specifically as authorized.
3. Employees are responsible for accurate and timely recordkeeping for all College assets, liabilities, revenues, and expenses. Compliance with accepted accounting rules and controls is required. All books, records, and documents must accurately and completely describe the transactions they represent.
4. The College does not permit or condone bribes, kickbacks, or any other illegal, secret, or improper payments, transfers, or receipts. This prohibition applies both to the giving and the receiving of payments or gifts.
5. All payments and transfers of items of value to employees of other business entities or to such entities themselves shall be made openly and must be disclosed and authorized in advance in accordance with College procedures.
6. No employee shall assist in the misuse of the College's funds or assets, including, without limitation, the misappropriation of such funds.
7. No outside agent of any kind shall be used to circumvent the prohibition against bribes, kickbacks, and other illegal, secret, or improper payments. Fees, commissions, and expenses paid to outside agents must be based upon proper billings, accurate recordkeeping, and reasonable standards for services rendered.
8. Except in connection with and specifically pursuant to programs officially authorized by the President, employees may not accept, directly or indirectly, any money or objects of value from any person or company that has or is doing or seeking business with the College. Providing excessive gifts or entertainment to others who may represent potential business is prohibited.

9. Employees may accept only business-related meals, entertainment, gifts, or favors when the value involved is not significant and clearly will not create an obligation to the donor.
10. Unless authorized by the College or when required in compliance with law, it is the responsibility of all employees to maintain the confidentiality of marketing and pricing plans, particularly during the design stage of such plans; discussions and information related to the potential sale or purchase of physical assets or operating and business entities; bids and related purchasing or financial information prior to award of the bid or proposal; information of a personal nature contained in employee files such as medical information; information protected by the lawyer/client relationship; and confidential labor relations matters and strategies.

General: It is the Board's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

The following basic policy statements apply:

1. The use, possession, distribution, purchase or sale, dispensation and/or manufacturing of controlled substances, as defined by state and federal law, by College employees on College grounds, in College buildings or vehicles and/or in connection with any College activity, is prohibited. The use, possession, distribution, purchase or sale, dispensation and/or manufacturing of alcohol by College employees on College grounds, in College buildings or vehicles and/or in connection with any College activity, is prohibited except as provided in Board Policy 4570. All College employees are expected to report actual or suspected violations of this policy to their immediate supervisor. The legal use of prescribed drugs is permitted on the job provided it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.
2. Any College employee who violates the above policy may be subject to disciplinary action, up to and including termination of employment. Such violations may also have legal consequences. Additionally, the employee may be required to satisfactorily participate in a drug assistance or rehabilitation program provided by the College.
3. Any College employee who has been found guilty of violating a criminal drug statute in the workplace shall notify the President within five days after a conviction relating to the drug offense.
4. The President shall notify the appropriate federal agency within ten days after receiving notice of a workplace-related drug conviction on the part of the employee.
5. The Board shall provide a drug-free awareness program for College employees. College employees who request assistance for drug counseling and/or rehabilitation shall direct their request to their immediate supervisor.
6. The President shall implement programs for College employees as deemed necessary to increase awareness of the College's drug-free policy which may include the following information:
  - a. the dangers of drug abuse in the workplace;
  - b. the employer's policy of maintaining a drug-free workplace;
  - c. available drug counseling, rehabilitation and employee assistance programs;  
and
  - d. the penalties the Board may impose upon employees for drug abuse violations.
7. As a part of this policy, the President is directed to implement drug screening for all new hires.

General: The Mott Community College Board of Trustees supports the concept of personal growth and wellness for all employees. The goal is to increase employee awareness and personal implementation of proper health-related activities, support a healthy work climate and decrease employee absences from the workplace.

The following basic policy statements apply:

1. Employee wellness activities will be developed in conjunction with the various employee groups.
2. Periodic needs assessments will be conducted to determine appropriate wellness programs and activities for employees.
3. The Board of Trustees encourages cooperative wellness programs developed in conjunction with other educational agencies, business school partnerships or other community agencies or organizations.
4. The Board approved budget shall include budget allocations for College-wide wellness activities.
5. The President and staff shall develop an administrative operating procedure to implement the wellness program.

5803

Smoking

General: Smoking is prohibited in all buildings under control of the College. Employees found smoking inside a College building shall be considered in violation of this policy and shall be subject to discipline in the same manner and magnitude as violations of other Board policies, and as described in the various negotiated master agreements.

General: College employees are expected to assume full responsibility of citizens living in a democracy. These may include such citizen rights as voting, or refraining from voting; discussing the social, political and economic issues of the day in public meetings; supporting candidates for public office; accepting appointed or elective public office; or holding office in political parties.

The following basic policy statements apply:

1. All such actions shall be taken as individuals and not as representatives of the College.
2. When, and if, any College employee desires to become a candidate for a Mott College Board of Trustees position, then that employee shall request and take a leave of absence, without pay, when he/she complies with the candidacy filing requirements or 60 days prior to the election, whichever date is closer to the election.
3. College employees are encouraged to participate in local governmental activities. If these activities require time away from work and the individual is not able to fulfill scheduled work obligations, it shall be considered unpaid leave unless appropriate leave is available to the employee to provide paid leave.
4. College employees who are elected to a public office that requires time away from their College work assignment must notify the President and supervisor of their pending absence as early as possible, but no later than noon of the day preceding the period of absence.
5. A deduction of the employee's regular weekly or hourly pay will be made for each hour the employee is absent from his/her College work assignments. Appropriate paid leave time may be used to provide the employee with cash compensation for hours not worked for the College.

5805            Solicitation of Employee Personal Funds

General:        Solicitations and/or appeals for contributions which call for expenditure of personal funds may be made to College employees. The Mott Community College Board of Trustees establishes this policy to control direct appeals for such funds.

The following basic policy statements apply:

1. College-wide appeals or solicitations of personal funds from employees shall be authorized only upon approval of the President.
2. Non College-wide appeals or solicitations of personal funds within a department or area from employees shall be authorized upon approval of supervisors and managers.
3. Participation by an employee in an approved fund or charity drive by employees of the College shall be voluntary. There shall be no cause for embarrassment to those who do not or cannot participate or contribute.
4. No employees shall use their position at the College to influence students or others to purchase special books or non-required materials.
5. Any organization desiring to distribute flyers or other material to college employees in connection with their fund drives shall do so only with the approval of the President.

General: All persons seeking to sell, solicit, or display an item relating directly to expenditures of College funds to any College employee shall first secure permission from the President or his/her designee before any appointments are made.

College employees shall not use College time, facilities, equipment or systems in connection with any soliciting or selling activities outside of their regularly-assigned job duties, including, but not limited to solicitations and sales for charitable activities except those specifically authorized by the President.

## 5807 Residency Requirements

General: As permitted by Public Act. No. 212 of 1999, a person hired or promoted into an Exempt Management position, shall, as a condition of employment, reside within 20 miles of the nearest College boundary within twenty-four months of the initial start date of new employment or promotion. Residency is defined as the place where a person maintains his/her domicile. Domicile means “a person’s true, fixed, principal, and permanent home” (Black’s Law Dictionary, 7th edition). The Board may approve, upon the President’s recommendation, a waiver of the residency requirement for extenuating circumstances.

*Revised: May 21, 2001*

General: Employees must not engage in any activities, transactions, or relationships that are incompatible with the impartial, objective and effective performance of their duties.

The following basic policy statements apply:

1. No employee shall place themselves in situations or positions or otherwise incur an obligation of any nature which shall preclude them from performing their duties and responsibilities in the best interest of the College.
2. No employee may use his or her position with the College or information obtained during employment in a manner that may create a conflict, or the appearance of a conflict, between the employee's personal interest and those of the College.
3. This policy establishes only the framework within which the Board wishes to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of conduct. Employees should contact the Legal Department or their immediate supervisor for more information or questions about conflicts of interest.
4. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision or transaction in connection with or arising from the business dealings and relationships of Mott College, that may result in a benefit or personal gain for that employee or for a relative.
5. Employees cannot use for personal gain, or for the benefit of their relatives, information that was obtained as a result of their service to the College; similarly, employees cannot exploit any business opportunity in which the employee knows or reasonably should know the College is or would be interested, unless the College first consents thereto in writing. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.
6. No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to their immediate supervisor as soon as possible the existence of any actual or potential conflict of interest by submitting the Conflict of Interest Disclosure Form so that safeguards can be established to protect all parties. The supervisor must promptly review the disclosure form and determine those interests which are in conflict and which, if any, can be resolved.
7. All managers and supervisors and any other employee who purchases goods or services for the College or who enters into or administers contracts on behalf of the College must complete and file an annual Conflict of Interest Disclosure Form with their immediate supervisor and this form must be filed in the employee's personnel file in Human Resources.
8. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Mott College does business, but also when an employee or relative receives any income, kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving Mott College.



General: Employees may hold outside jobs as long as they meet the performance standards of their job with Mott College.

The following basic policy statements apply:

1. All employees will be judged by the same performance standards and will be subject to Mott College's scheduling demands, regardless of any existing outside work requirements.
2. Employees who do not meet the performance standards for their job will be disciplined up to and including termination.
3. Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside Mott College for materials produced or services rendered while performing their jobs.

General: Equipment, vehicles, systems and facilities essential in accomplishing job duties are expensive and may be difficult to replace. This policy encompasses, but is not limited to, the use of the College's e-mail, voice mail, telephone and computer systems, including Internet access.

The following basic policy statements apply:

1. When using property and systems, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.
2. College equipment cannot be utilized for personal benefit, reasons, work or gain.
3. All other relevant Board policies apply to use of equipment, systems and facilities. For example, abusive, threatening or harassing messages cannot be sent over voice or e-mail; the computer network cannot be used to access pornographic web sites; solicitations and sales cannot be made using systems for activities outside of the employee's regularly assigned work. Examples of prohibited activities include:
  - a. The use of College equipment, facilities and systems to issue invitations for or solicit for personal parties, social meetings, charity (unless specifically authorized by the President)
  - b. Memberships in buying clubs
  - c. Religious causes
  - d. Political causes; or
  - e. Other matters not directly connected to the College's operations and activities
4. Research, writing and other scholarly activities conducted by faculty in their discipline or field using College equipment are examples of appropriate activities; staff may similarly use College equipment assigned to them for the development of publications, research, and other such educational materials related to their fields of expertise provided the work activity occurs without interfering with their regular assignments and they have received the prior written approval of their supervisor.
5. Supervisors must be notified if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.
6. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

5811            Computer Privacy

General:        Except in emergency circumstances, management will not access the contents of files created by employees on computer equipment without the written authorization of the employee.