

Northern
New Mexico College
Staff Policy Handbook



Northern New Mexico College STAFF HANDBOOK

Welcome to Northern New Mexico College! As a member of the staff, you play a vital role in Northern's mission to "allow all residents of Northern New Mexico the access to higher education through low tuition, on-site community courses, distance education, literacy instruction, high school equivalency, concurrent enrollment."

Serving as an immediate source of information for all new employees, this handbook is also intended to be a reference tool for all employees. To this end, revised authorized pages will be issued when necessary. Please keep this handbook up-to-date by substituting revised pages for the one(s) they replace.

The discussion of College policies in the handbook is intended to answer some of the commonly asked questions about working at Northern New Mexico College. The policies govern what Northern expects from employees. The policies are legal and binding. Accordingly, the College retains sole discretion in the interpretation and application of these policies.

A copy of this handbook will be provided to each staff member. Receipt of the handbook will be acknowledged and the receipt form will be placed in the staff member's personnel file.

Approved by the Board of Regents 5/25/06

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Dear Colleagues:

Welcome to Northern New Mexico College. Northern is held in great esteem by our community because you have demonstrated over the years great caring and concern for our students, who are themselves members of the community. Your willingness to strive toward excellence in all of the College's endeavors is also evident.

Please be assured that you are important to us for the very same reasons our community appreciates you. I hope that this handbook is but one means by which we can contribute to your well-being and professional growth as members of this staff.

My best wishes to you for a successful and rewarding career at Northern.

Sincerely yours,

Jose Griego, President
Northern New Mexico College

History of Northern New Mexico College

Northern New Mexico College was established as a constitutional entity by the New Mexico Territorial Legislature in 1909 and designated as the Spanish American Normal School. Its original mission was to teach English to Spanish speaking teachers. In 1953 the New Mexico State Legislature changed the name to Northern New Mexico State School to provide training that was not available in public schools. In 1959 the school was changed to Northern New Mexico College and continued to maintain its secondary education function as well as a college curriculum. In 1970 the school was renamed as the New Mexico Technical Vocational School and was limited to technical vocational course offerings. In July 1977, the Board of Regents adopted the name of Northern New Mexico Community College and began the enormous task of joining the existing programs, philosophies, and procedures to establish a comprehensive community college that is accredited by the Higher Learning Commission. Northern is participating in the Academic Quality Improvement Program (AQIP), a method of accreditation that incorporates the building of quality principles into educational systems as a tool to create continuous quality services and processes. On April 7, 2006, the name of the school was officially changed to *Northern New Mexico College* and authority was granted to offer baccalaureate degrees. Northern is maintaining its 'community college' mission and open admission policy.

MISSION STATEMENT

Northern New Mexico College provides accessible, affordable, community-based quality learning opportunities that meet the educational, employment, and enrichment needs of our culturally diverse region.

VISION STATEMENT

By the year 2010, Northern New Mexico College will have six distinct colleges that each offer at least one baccalaureate degree, and will be a regionally recognized college that will excel and expand in quality education while maintaining the community college mission.

Purpose Statements

1. To provide educational programs, which lead to certificate and associate degrees; courses that transfer to four-year institutions; professional development for upgrading skills and job advancement, and workforce development.
2. To assist students achieve their potential through student support services (i.e. assessment, tutoring, career guidance, degree planning, academic advisement and job placement).
3. To provide opportunities for the intellectual, aesthetic and cultural needs of students and the community by scheduling activities and services to further those needs.
4. To be responsive to the community at large by delivery of educational and training programs to meet the needs of the community.
5. To facilitate change and be in the forefront of technology and innovating thinking.
6. To support economic development for our region by collaborating with local agencies and organizations.
7. To promote distance education technologies that improves access to higher education.
8. To offer specialized programs (i.e., Teacher Training that meet Regional Workforce shortages).

PART I. COLLEGE GOVERNANCE AND ORGANIZATION

A. Source Of Authority

The control and management of the College is vested in the Board of Regents, pursuant to New Mexico Constitution, Art. XII, and XIII and Section 21-4-1, NMSA 1978.

The Board of Regents consists of five members nominated by the Governor and appointed by and with consent of the Senate to six-year terms on a staggered basis.

B. Role and Function

The Board of Regents serves as a policy-making body and delegates to the President the responsibility for the administration of the institution. The Board works through the President who is responsible for the day-to-day administrative activities, which include making recommendations to the Board and implementing its policy decisions. The Board retains the complete responsibility for the operation of the College, and recognizing that circumstance, the Board may reassert authority, which it has delegated to the administration.

C. Organizational Structure

1. The organizational structure of the College is reflected in the organizational chart in the appendix.
2. The President is the Chief Executive Officer (CEO) and is responsible to the Board of Regents for the overall operation of the institution. The President ensures the execution of Board policy, submits necessary reports and recommendations and leads the staff in achieving the institutional goals.
3. Deans are responsible to the Executive Vice President or his/her designee for all activities designated to their respective divisions.
4. Chairpersons, directors and coordinators assist the senior administrators in the management of institutional resources and in the development of instructional and support functions.
5. College staff and faculty participate in the decision making process through their involvement in committees, meetings and task forces.

PART II. STAFF EMPLOYEE CLASSIFICATION

A. Staff Employee Categories

1. Employment Positions

- a. Permanent positions are employment positions that are designated by the College as permanent, whether full-time or part-time.
- b. Casual positions will be filled with temporary employees. Employment positions which are designated by the College as casual refer to temporary positions, limited in time and/or scope. Only temporary employees will fill casual positions.

2. Employee Status

a. Regular Status

An employee hired into a permanent position who has successfully completed a probationary period and is entitled to all rights and benefits in this handbook is considered thereafter as a "regular" staff member. Nothing herein shall be construed as granting such employees any legitimate objective expectation of re-employment beyond the term of his/her present contract, each of which shall terminate on or before June 30 of each fiscal year. The Board shall have the discretion to determine whether or not to renew the employment of each regular staff employee and may refuse to renew the employment for any reasons it deems sufficient, without any requirement that the reason for such decision be provided nor that any type of hearing be given, either before or after notice is given of non-reemployment.

b. Probationary Status

A staff member shall be on probationary status during the first six (6) months from the date of initial full-time employment in a permanent position. Such probationary period shall continue for the full six (6) months even if the staff member is re-employed for the following fiscal year during his or her probationary period. Probation period may be extended for an additional period not to exceed three (3) months. Justification must be submitted to Human Resources to be included in the employee's personnel file. Any extension of probationary period beyond the additional three (3) months must have approval of the President.

c. Temporary Status

A temporary employee is an at-will employee who is hired for a specific period of time but not to exceed one fiscal year to perform a specific function.

Temporary employees hired for a period of more than three (3) months are entitled to all benefits. Temporary employees hired for a period of less than three (3) months are not entitled to any benefits except Educational Retirement Assistance (ERA) if working more than ten hours per week.

d. Consultant

A consultant is a self-employed individual, not an employee of the College, who is hired to provide services as stipulated in a consultant agreement and is not eligible for the rights and benefits of this Handbook.

3. Full-Time/Part Time Status

a. Full-Time

A staff member who works 40 hours or more per week

b. Part-Time

A staff member who works less than 40 hours per week.

B. Employees Covered by Staff Policy Handbook

The administration of the College is made up of employees who perform administrative and/or support functions. Collectively, these employees are referred to as the "staff." The rights and responsibilities of staff employees are described and defined in this Staff Policy Handbook. The Board of Regents reserves the right to modify the Staff Policy Handbook at any time and to make such modifications effective immediately upon adoption. Nothing herein shall be construed as prohibiting the immediate effect of modifications of the Staff Policy Handbook during the fiscal year.

A. Definitions and Categories of Staff

Employee Classifications

Staff refers to any employee of the College who is in a position other than a teaching position.

The employee classification for all staff members shall be identified on an annual basis in the contract, personnel action notice forms or other documents, which relate to or affect the employee's status within the institution. The rights and responsibilities of the faculty, including instructional chairpersons, directors and coordinators are addressed in a separate faculty policy handbook. Staff members are divided into two categories: "classified" and "non-classified," depending on their classification under the federal Fair Labor Standards Act, as amended (FLSA).

a. Classified

Staff employees who are paid based on the approved salary schedule are designated as classified staff.

“Classified” employees are subject to the wage and hour provisions of the FLSA and are entitled to compensatory time off for time worked in excess of 40 hours in a single work week. The overtime compensation plan for classified staff is set forth elsewhere in this Handbook. See Part IV. Section Q.

b. Non-Classified

“Non-classified staff” employees are exempt from the maximum hour provisions of the FLSA under one or more of the available exemptions for executive, administrative or professional employees.

PART III. HIRING AND EMPLOYMENT

A. Employment Policy

The quality of an educational institution is dependent upon the knowledge, skills, commitment and enthusiasm of its employees. The Board of Regents, therefore, seeks to employ only the best-suited personnel. As such, the Board expects all of its employees to accept and support the College mission and objectives and to perform their duties in such a way as to reflect credit upon the College.

B. Equal Employment Opportunity/Affirmative Action

The College is committed to equal employment opportunity and will strictly adhere to nondiscriminatory practices in employment of personnel. Decisions regarding recruitment, hiring, training, promotions, and conditions of employment will be made without regard to race, color, religion, national origin, physical or mental disability, age, sex, ancestry, serious medical condition, spousal affiliation, sexual preference, political affiliation, or military involvement except when one of these criteria is a bonafide occupational qualification for the position involved.

The President of the College has overall responsibility for affirmative action. The responsibility and authority to direct the Affirmative Action Program is delegated to the Equal Employment Opportunity (EEO) Officer, who will report directly to the President on all Affirmative Action matters. The EEO Officer is assured full support in fulfilling his/her duties.

It is the responsibility of all supervisors to ensure compliance with the Affirmative Action Program and that personnel under their department are thoroughly familiar with the intent and the provisions of the Affirmative Action Program. Additionally, it is every supervisor's responsibility to take action to prevent any form of discrimination or harassment of employees, for any reason, regardless of race, color, religion, national origin, physical or mental disabilities, age, sex, ancestry, medical condition, sexual preference, political affiliation, military involvement, or spousal affiliation.

C. Recruitment of Staff

I. Policy

All vacant permanent positions will first be advertised internally. If no internal applicant is selected or no employee applies, the position will be advertised externally.

II. Procedures

1. The department supervisor will initiate a written request when a vacant position becomes available.
2. The written request must be processed through the supervisor(s) and approved before being submitted to the President for approval.
3. If the President approves, the written request will be submitted to the Human Resources Department for advertisement.
4. If the President disapproves, the request will be returned to the appropriate department.
5. Internal advertisement will be for a period of five (5) work days.
6. The advertisement will be posted on both campuses and announced through a network broadcast message.
7. **Should the vacant position not be filled internally, the Human Resources Department may advertise in the College web page and the following local newspapers: the New Mexican, Albuquerque Journal, and the Rio Grande Sun. It may be required that at times, the advertisement be expanded to include other newspapers, web pages, periodicals, and/or journals.**

D. Selection Process

I. Policy

A screening committee will rate all applicants and the committee will select the top five applicants, for an interview.

II. Procedures

1. The College will select the applicant who is best suited for the position.
2. Upon receipt of applications, Human Resources will do an internal review to determine whether the required documents were submitted.
3. Human Resources will notify the appropriate department that a screening committee is required. The President or his/her designee will select a screening committee to rate applications and determine top applicants to be interviewed.
4. Human Resources, in conjunction with the department, will schedule interviews.
5. Upon completion of the interviews, Human Resources, or a designee, will do reference checks on the top applicants, prepare a memorandum identifying the strengths and submit through the appropriate supervisor to the President.

6. The President may approve or disapprove, and/or may conduct an interview himself/herself from within the applicant pool. The President determines who will be selected and the Board of Regents may ratify the selection.
7. If no applicants are approved, the President will request that Human Resources re-advertise the position.
8. Upon approval by the President of a candidate, Human Resources may notify the selected applicant and offer the position. If the applicant accepts the position, Human Resources will prepare the required documents.
9. If the selected applicant declines the position, Human Resources will notify the appropriate department and the President. The President may select an alternate applicant or may request the position be re-advertised.
10. Human Resources may notify, in writing, applicants who are not selected.

E. Promotion

I. Policy

The College encourages the professional growth of its employees and rewards its employees through promotion.

II. Procedures

1. The department supervisor will initiate a request for promotion through his/her supervisor(s) to the President.
2. The department supervisor and Human Resources will draft an updated job description that will identify those duties, which will be used for justification of promotion.
3. The supervisor will present his/her recommendations to the Job Classification Committee for consideration.
4. If the Job Classification Committee approves, the request will be prepared by the chair of the committee and submitted to the President for consideration.
5. If the President approves, Human Resources will prepare the required documents and notify the employee.
6. If the President disapproves, Human Resources will notify the supervisor and the employee with reasons as to why the promotion was denied.
7. If the Job Classification Committee does not approve the promotion or reclassification, the Chair of the Committee will notify the appropriate supervisor.

F. Lateral Transfers

I. Policy

The College will consider regular staff employees' request for a voluntary transfer to another position of equal grade and classification.

II. Procedures

1. Human Resources and the appropriate department(s) will review the job description to determine if the position is of equal grade and classification.
2. If the transfer is considered a lateral move, the employee's current supervisor will initiate the transfer request to the new supervisor.
3. If approved by the new supervisor, the request will be forwarded through the appropriate supervisor(s) to the President for approval.
4. If approved by the President, Human Resources will prepare the appropriate documents for the transfer.

G. Nepotism

I. Policy

For the purposes of this policy, immediate family shall be defined as: husband, wife, father, mother, sister, brother, son, daughter. The following restrictions shall apply with respect to the employment of staff.

No staff shall be employed by the College if that person would be in a direct supervisory or evaluative relationship with a member of his or her immediate family. No applicant shall be considered for employment while a member of his or her immediate family serves on the Board of Regents. No staff person shall serve in a screening committee when a member of his or her immediate family is applying for a position. These provisions shall not apply to any staff who was initially and continually employed by the College prior to the employment or appointment of any supervisory employee. However, such supervisor shall abstain from evaluating, recommending or voting on any re-employment, promotions or salary increases of such employee, unless it is done by class, similar to all employees. The President may approve exceptions to this policy in case of an emergency or other special circumstances and submit it to Board of Regents for final approval at the next scheduled meeting. If there is a potential case for nepotism with a new hire, the Board of Regents will be notified.

H. Teaching Assignments:

I. Policy

A fulltime staff member, with the written approval of his/her immediate supervisor and the appropriate administrator, may assume a part-time faculty assignment and be paid at the established rate for part-time faculty. The staff member will be limited to teaching a maximum of four credit hours per semester. Such teaching assignments shall not be during the staff member's work day nor shall it reduce the staff member's work hours or responsibilities.

II. Procedures

1. A staff member being considered to teach must meet all teaching credential requirements.

2. A staff member being considered to teach on a part-time basis must have his/her immediate supervisor's approval on the appointment letter.
3. The appointment letter must include the time classes will be taught.

I. Initial Employment Policy

The Board of Regents hereby delegates to the President the authority to contract for the initial conditional employment of all staff members. The President will submit the name of any employee hired to the Board of Regents at the next regularly scheduled Board of Regents meeting for approval.

J. Termination of Probationary Employee

I. Policy

The President may terminate employment of any probationary staff member during or at the end of the employee's probationary period. The President will submit the name of any probationary employee terminated to the Board of Regents, at the next regularly scheduled Board of Regents meetings, for approval.

II. Procedures

1. Any supervisor recommending that a probationary employee be terminated shall include documentation that supports the termination.
2. Recommendation for termination shall be initiated with enough time for the President to make a determination.
3. The President will make a determination based on documents submitted.
4. If the President agrees to terminate the probationary employee, the employee will be notified of such action.
5. Probationary terminated employees shall not have any internal recourse in order to appeal the termination.

K. Termination of Regular Staff Employees

I. Policy

The President may terminate any regular staff employee during the term of the employee's contract, for cause. The President will submit his recommendations to the Board of Regents at the next regularly scheduled Board of Regents meeting for approval.

II. Procedures

1. Any recommendations to terminate a regular staff employee will be initiated by the appropriate supervisor.
2. The supervisor must submit all relevant documents that will support the termination.

3. Any regular staff employee being terminated during the term of the contract will be entitled to a hearing.
4. The hearing process is defined on page 46 (section/part) section XI.

L. Non-Renewal of Contract

I. Policy

The President may choose not to renew the contract of any regular staff employee for any reason or no reason. The President will submit his recommendations to the Board of Regents at the next regularly scheduled Board of Regents meeting for approval.

II. Procedures

1. The regular staff employee will be notified of the non-renewal of contract.
2. The regular staff employee is not entitled to be informed as to the reason(s) for the non-renewal.
3. The regular staff employee is not entitled to any hearing related to the non-renewal of the contract.

PART IV. PROCESS AND TERMS OF EMPLOYMENT

A. Orientation of New Employees

I. Policy

All full-time regular employees are entitled to the following processes and terms of employment.

II. Procedures

1. On the first day of employment or as soon thereafter as practical, the immediate supervisor or designee will orient the new employee on his/her duties, responsibilities and institutional policies and procedures.
2. The immediate supervisor or designee will also ensure that the new employee is introduced to the various departments, especially those department that the employee will be involved with as part of his/her responsibilities.

B. Probationary Period

I. Policy

All full-time regular employees hired into a permanent position shall serve a probationary period for the initial six (6) months after being hired. Probation period may be extended for an additional period not to exceed three (3) months. Justification must be submitted to Human Resources to be included in the employee's personnel

file. Any extension of probationary period beyond the additional three (3) months must have approval of the President.

C. Termination during Probationary Period

I. Policy

Any employee may be terminated during the probationary period for cause or no cause. Termination during the probationary period is not grievable through the internal grievance policy.

II. Procedures

1. During or at the end of the probationary period or any extension thereof, the employment of a probationary staff member is "at-will" and the President for any reason that he or she deems sufficient may terminate such employment.
2. Notice of termination shall be in writing, signed by the President and shall be delivered to the employee ten (10) working days prior to the effective date of the termination.
3. Failure to provide advance notice shall not affect the termination nor entitle the terminated staff member to any additional rights or compensation.
4. Terminated probationary staff members are not entitled to any statement of the reasons for the termination nor to any hearing in connection with the termination, nor are they entitled to use the internal grievance process to challenge the decision to terminate their employment.

D. Contractual Relationship

I. Policy

All regular staff employees will be hired on an annual basis to be effective July 1 of each year. Exceptions will be those employees hired after the beginning of the fiscal year.

II. Procedures

President's Contract

1. The terms and conditions of the President's employment shall be negotiated by the Board of Regents and the President or President elect, and shall be specified in a written contract.
2. Such contract may provide for terms, conditions and benefits, which may be different from or in addition to the rights and benefits of other staff members set forth in the staff handbook, and to the extent that the contract and this handbook differ, the contract terms shall control.
3. The agreed upon contract shall be signed by the President of the Board of Regents and the President.
4. The contract may be amended at any time with the concurrence of both parties.

Staff Contract

1. All staff employees, except those on temporary status, or the President are employed for a specific term.
2. Each staff employee shall sign a contract specifying the term of the contract and the salary to be paid. This Handbook establishes the terms and conditions of their employment as it now exists or as the Handbook is hereafter amended. If the contract provides for terms and conditions and benefits not set forth in this Handbook, the contract terms shall control.
3. During the term of the contract, regular staff members, not on probationary status, may only be discharged for cause, and will be entitled to a hearing as set forth in this handbook.
4. At the end of each contract term, the Board of Regents may choose not to reemploy any staff member for any reason it deems sufficient, without notice of the reason(s) for such action or any right to any hearing concerning the reason(s) for such action, nor shall the staff member be entitled to use the internal grievance Procedures to question or challenge the non-reemployment.

E. Issuance of Contracts

I. Policy

Contracts for all staff members, except those on temporary status who are re-employed for the succeeding fiscal year shall receive a contract prior to the end of the current fiscal year.

II. Procedures

1. The contract, if accepted by the staff member, must be signed and submitted to the Human Resources Office within 15 days of receipt.
2. Failure by the staff member to return the contract within the specified time period may be considered as refusal by the staff member of the offer of employment.

F. Time Sheets

I. Policy

Classified employees subject to the provisions of the Fair Labor Standards Act are required to file a record of their hours worked on a time sheet. (EXHIBIT F) Time sheets are due at the payroll office on the 15th and the last day of the month unless otherwise indicated by the payroll manager. The supervisor will instruct employees on how to complete and submit time sheets. All forms must be filled out completely and signed by the employee and the supervisor. Falsification of, or failure to complete, time sheets may result in disciplinary action, including dismissal.

Non-classified employees hired under any federal, state, local or private grant are also required to file a record of their hours worked on a time sheet.

II. Procedures

1. All classified, state and federally funded employees are required to submit time sheets verifying the hours worked as per the pay schedule prepared by the payroll office.
2. Time sheets must be signed by the appropriate supervisor and submitted to the payroll office within the established time frame.
3. Any time sheets not submitted within the given time frames may not be processed until the following pay period.

G. Payroll Checks

I. Policy

Payroll checks are distributed on the 5th and 20th of each month in 24 pay periods. When either the 5th or the 20th fall on a holiday, checks will be distributed the last work day prior to the holiday. When payday falls on a Saturday or Sunday, checks will be distributed the Friday before.

Payroll checks, except those on direct deposit, will be available at the Cashier's Office for distribution at a specific time.

H. Direct Deposit

Employees may use the automatic payroll direct deposit service, which provides for the direct deposit of pay to a participating bank. Employees interested in direct deposit of their paycheck should complete an *Authorization Agreement for Direct Deposit* form available in the Payroll Office.

I. Garnishment of Pay

The College considers the acceptance and settlement of just and honest debts to be a mark of personal responsibility. The College is required by law to accept and process garnishments served by officials of the court.

J. Change of Employee Status

I. Policy

An employee's status may change during the contract term.

II. Procedures

1. Any change in the status of any employee is processed via a Personnel Action Notice Form (PAN) through the Director of Human Resources.
2. The appropriate supervisor(s) and the President must approve any change in the

status of any employee.

K. Personnel Files

I. Policy

The official personnel file of each employee shall be maintained in the Human Resources Office and shall contain all materials required by the College, which are relevant to the staff member's employment and shall be protected from access by unauthorized persons to the extent allowed by the Inspection of the Public Records Act.

II. Procedures

1. It is the responsibility of the staff member to insure that his/her file is kept current.
2. The employee has the right to review his/her file. The employee and Human Resources will determine the appropriate time for review.
3. The personnel file of any employee will not be removed from the Human Resources Office.
4. No documents in the personnel files may be removed without the written approval of the appropriate supervisor, employee, and the President.

L. Job Description

I. Policy

All staff members will have a current job description on file in the Human Resources Office. It is the responsibility of the immediate supervisor to ensure that job descriptions are current for employees under his/her supervision.

II. Procedures

1. The Human Resources Office must review any changes in a job description.
2. If the changes in a job description will lead or may lead to a change in status or classification, the Job Classification Committee will review the job description.
3. The Job Classification Committee will review and submit their recommendation to the President for approval.
4. The Committee's recommendation will be submitted to the President. Human Resources will prepare the Personnel Action Notice Form (PAN) and Staff Contract to reflect the changes if appropriate.
5. If the recommendation is for an upgrade, and the President disapproves, the documentation will be returned to the Job Classification Committee with the rationale for disapproval.
6. The Human Resources Office will inform the appropriate supervisor and the employee of the disapproval.

M. Work Week/Work Hours and Scheduling

I. Policy

A regular work week begins on Sunday at 12:01 a.m. and ends on Saturday at midnight. The regular work week consists of forty (40) hours five (5) days x eight (8) hours each day. When the work week is less than five (5) days (e.g. holidays, etc.), the regular time shall be the number of days in such a short week multiplied by eight (8) hours per day. Nevertheless, the College recognizes that work is sometimes required beyond the regular work week and adjustment of the work week may be changed with the approval of the supervisor.

The standard work day/work week consists of five days – eight hours per day, beginning Monday 8:00 a.m. and ending Friday at 5:00 p.m. The standard work schedule is comprised of 40 hours per week. Non-standard work days and/or work weeks may be necessary to meet the demands of the institution and are arranged by the department supervisor(s) involved.

II. Procedures

1. The supervisor will insure that the change in work day or work week may be necessary to meet the demands of the institution and are arranged by the department supervisor(s) involved.
2. Any hours worked beyond the 40 hours in any one week, will be compensated at time and one half for classified employees. Any overtime worked must be approved by the immediate supervisor prior to the employee working overtime
3. Emergency situations will be considered on a case-by-case basis.
4. Compensatory time will be given in lieu of payment for overtime at time and one-half for classified employees only.
5. Compensatory time should be used as soon as practical and the immediate supervisor will be responsible to insure the compensatory time is not abused. Refer to section on compensatory leave for further information.

N. Breaks

The work day shall include two, non-cumulative, fifteen-minute breaks. One will be taken in the morning and one in the afternoon. Such breaks should not interfere with the duties and responsibilities of the employee or the department. Failure to take breaks will not be used to shorten the work day.

O. Lunch Hour

Each employee will have a one-hour lunch period during any eight (8) hours of work. It may be required that at times the supervisor may have to assign a lunch period in order to meet the needs of the department. The normal lunch hour is between 11:00 a.m. to 12:00 p.m. or 12:00 p.m. to 1:00 p.m. Failure to take a lunch hour will not be used to shorten the work day.

P. Office Hours

All College offices must remain open from 8:00 a.m. to 5:00 p.m. Because of a wide variety of needs in different departments that start after 5:00 p.m., elected offices will provide extended hours as scheduled. On occasion an office may close for a limited time due to special circumstances. At that time the appropriate administrator must approve any closures and the President's Office must be notified of such closure.

Q. Overtime

I. Policy

Subject to the limitations and exceptions below, overtime at the rate of time and one-half will be earned by any classified staff employee who is required and approved to work more than forty (40) hours during the work week. The College does not encourage the practice of assigning work tasks to its classified employees that cannot be accomplished during the forty (40) hour work week.

II. Procedures

1. The appropriate supervisor must approve all overtime in advance.
2. Approval of overtime will be included in the employee's timesheet.

R. Wellness Program

I. Policy

The Wellness Program is available to all employees to assist in improving health and morale. Fitness Periods of three (3) one half-hour periods are allowed each week during work time to engage in a physical fitness activity within the College Campuses. Physical Fitness Activities include, but are not limited to the following:

- Aerobic activities--brisk walking, jogging/running, swimming, jump roping, bicycling.
- Recreational Sports-- tennis, volleyball, racquetball.
- Muscular Strength activities--calisthenics exercise and weight lifting.

Employees may use three (3) one half-hour periods per week during work hours to engage in a physical fitness activity. Employees may use only one half-hour fitness period during any given day. Fitness periods must be taken on either side of the employee's lunch period, or on rare occasions at another time agreed on by the employee's supervisor. An employee may take work breaks on days which they use a fitness period. Employees do not have to make up time used for fitness periods. It is work time, not flex time. Incorporation of fitness periods into the work week must not conflict with the employee's work schedule. Job responsibilities come first; employees may not always be able to use fitness periods. (i.e. orientation, registration, mid-terms, finals, etc...) Fitness contracts are good for one semester. When a contract expires a new contract may be completed. Fitness periods cannot be accumulated to use in

subsequent weeks in addition to regular fitness periods. Fitness periods may be used only for engaging in fitness related physical activities. They may not be used for other health-related activities or personal business off campus. If an employee stops participating in the activities specified in their contract on a regular basis, or if the employee wants to modify their contract (change time, date or location), he/she must secure his/her supervisor's approval.

II. Procedures:

1. Employees wishing to participate in the Wellness Program must fill out a physical fitness contract. Contracts are available from the Student Support Services Director.
2. Employees must submit the contract to their supervisor for the supervisor's approval and signature.
3. The original contract must be submitted to the Student Support Services Director. The employee and the immediate supervisor shall each keep a copy of the contract.
4. When a contract expires, an employee must complete a new contract if they wish to continue their physical fitness activity.

PART V. EVALUATION

A. General

I. Policy

The purpose of the evaluation is to assist the employee in improving his/her job performance. Nothing contained herein shall be construed, however, as creating any legitimate, objective expectation of re-employment even if an employee has been evaluated as being satisfactory nor shall the failure to complete required evaluations in a timely manner entitle a staff member to re-employment. Refer to appendix G.

II. Procedures

1. The immediate supervisor shall evaluate probationary staff members at least once during the probationary period, based on goals provided by the supervisor.
2. The immediate supervisor shall evaluate each regular staff member at least once each fiscal year, based on goals for the previous year established by the employee and supervisor.
3. The employee's supervisor, and reviewer must sign and review evaluations before being sent to the Human Resources office.
4. Signatures of the employee do not necessarily mean that he/she agrees or disagrees with the evaluation.
5. If the employee disagrees with the evaluation, he/she has an opportunity to attach an addendum with his/her comments, which become part of the total evaluation.

6. Disagreement with evaluation is not a grievable matter through the internal grievance process.
7. Annual evaluations should be completed by the immediate supervisor and submitted by March 1st of each year.
8. Original evaluations shall be filed in the staff member's official personnel file in the Human Resources Office, along with employee comments, if any.

PART VI. LEAVES

A. Educational Leave Without Pay and Benefits

I. Policy

An employee with five years of regular full-time employment with the College may request educational leave. The purpose of the educational leave is to permit the employee to pursue a course of study, training, or research, which will improve the scope and quality of service to the College upon the employee's return. The College will attempt to reinstate the employee in his/her original position or in an equivalent position, if one is available, at the end of the leave period.

Educational leave of absence without pay may be granted to a regular full-time employee for a period not to exceed one (1) year. Documentation of the relevance of the educational leave to the College must be submitted to the appropriate supervisor for approval or disapproval. Approval by the President and Board of Regents is required at least six months prior to the commencement of the educational leave period. The employee must notify the College administration of his/her intention to return at least sixty (60) days before the end of the leave period. Failure to do so may result in denial of consideration for reinstatement in the same or equivalent position. All employee benefits are suspended during educational leave periods; however, the employee may contribute 100% of the premium for the continuation of group health insurance coverage. The College may approve a maximum of two educational leave applications per fiscal year.

II. Procedures

1. Leave must be requested in writing specifically identifying the criteria supporting the request for the President and Board of Regents' approval, six months prior to the commencement of leave.
2. Employee must arrange for continuation of insurance coverage with payroll manager *if needed*. All payments must be received at payroll office 5 days prior to the 1st day of the month.
3. Employee must provide written notification to the College administration of his/her intention to return 60 days prior to the end of leave period.

B. Leave of Absence Without Pay and Benefits

I. Policy

Leave of absence without pay may be granted to a regular full-time staff member for a period not to exceed one (1) year. Leave shall not be used for temporary employment at another educational institution or agency. Leave will be a distinct benefit to the College and/or to the individual concerned. The staff member's supervisor must have agreed that others can carry out the employee's duties satisfactorily without additional expense to the College. Leave must be requested in writing through the immediate supervisor no later than one month in advance of date of proposed leave. The written request for leave of absence without pay and without benefits will be submitted to the President for approval through the responsible administrator. Leave without pay will be granted only when all annual and sick leave have been exhausted. All employee benefits are suspended during leave without pay periods. Leave without pay is not counted toward years of ERA service. Employee may contribute 100% of the premium for the continuation of group health insurance coverage.

II. Procedures

1. Request of absence, without pay, must be submitted in writing to the employee's supervisor one month prior to date of proposed leave.
2. Supervisor must approve and certify that work will continue without any added expense to the College.
3. The written request along with the supervisor's approval will be forwarded to the responsible administrator and on to the President for final approval.
4. Annual and sick leave forms must be submitted to the payroll office exhausting all leave. Once all leave is exhausted, leave without pay will go into effect.
5. Employee must arrange for continuation of insurance coverage with payroll manager *if needed*. All payments must be received at payroll office 5 days prior to the 1st day of the month.

C. Sick Leave

I. Policy

The College recognizes that employees will from time to time be sick or injured and that time off with pay must be provided during these periods. With the exception of three days of personal leave, it is not the intent that sick leave benefits be used for any purpose other than sickness or injury.

Full-time regular, probationary staff and temporary full-time staff earn 5.75 hours per pay period. Part-time regular staff earn sick leave on a prorated basis based on hours worked using the full-time schedule. Sick leave will be given in (2) two increments on July 1 and January 1.

Accrued sick leave may be carried over from one fiscal year to the next. Sick leave is cumulative to a maximum of 1600 hours. Cumulative sick leave in excess of 1600 hours will be deducted from the employee's record as of July 1. No compensation shall be paid for accrued and unused sick leave at the end of a staff member's employment with the college. Sick leave is accrued, recorded and taken to coincide with the fiscal year July 1 through June 30. Sick leave may be used for the following:

1. Personal sickness or injury.
2. Care of ill family member.
3. Pregnancy and maternity leave shall be treated as any other medical condition and sick leave may be utilized.
4. Paternity leave may be granted upon request to the regular full-time employee. Leave is granted as sick leave, with a maximum of five (5) days per birth.
5. *Personal Leave.* Three (3) days of personal leave, included in the sick leave, are granted each contract year. Leave cannot be accumulated but remains in the sick leave balance if not utilized.
6. *The College will abide by the FMLA* (Family Medical Leave Act).

The immediate supervisor has the discretion to request any employee claiming sick leave to submit a physician's statement verifying the illness, after three (3) consecutive days or when there is a discernible pattern. Unless otherwise specified by the employee, leave will automatically be charged to accrued annual leave after the accrued sick leave is exhausted. Employees who are hired under a federal, state or other grant program (considered soft money grants) will automatically lose their accrued sick leave upon the completion or upon separation from the grant program.

II. Procedures

If an employee is unable to report for work at the start of the regular work period the supervisor will be notified as soon as possible. Failure to do so will result in placing the employee on *Leave Without Pay* (LWOP). A leave form must be submitted prior to the leave if possible; otherwise, the leave form must be submitted as soon as possible, but no later than the first day the person returns to work.

D. Sick Leave Bank

I. Policy

To provide a process whereby participating employees of Northern New Mexico Community College may request additional sick leave due to a catastrophic situation involving their own medical condition.

Full-time employees with benefits may choose to participate in the Employees' Sick Leave Bank program to be eligible to request up to an additional 40 days sick-leave due to a catastrophic situation involving their own medical condition.

Employees who donate sick leave to the Sick Leave Bank will become members of the Sick Leave Bank. Only those members may request leave from the Sick Leave Bank.

Employees must have a minimum of one hundred (100) hours of accumulated sick leave, must have been employed for one fiscal year, and must donate sick leave from their personal account to be eligible to participate in the Sick Leave Bank.

The College President will establish a standing committee to review applications for the use of sick leave from the Sick Leave Bank, and to make a determination to either approve or disapprove the request. If the request for additional sick leave is approved, the chairperson of the Sick Leave Bank Committee will notify the employee of the decision in writing. If the request for additional sick leave is disapproved, the Committee Chair will notify the employee in writing of the reason(s) for the disapproval. The decision of the full Committee is final.

II. Procedures

1. Any employee, as defined above, may donate from his/her accumulated sick leave to the Sick Leave Bank. Staff must donate sixteen hours (16) based on an eight-hour day.
2. Staff (with benefits) will be allowed to donate sick leave every year between July 1 and July 31
3. The Sick Leave Bank Committee may request additional donations if the Sick Leave Bank is low or out of contributions.
4. Donated sick leave will not be returned to the employee. If not utilized, the donated sick leave will be retained in the Sick Leave Bank.
5. Employees who wish to donate sick leave must fill out the **Sick Leave Bank Donation Authorization Form** and submit it to the Payroll Office. Participation in the Sick Leave Bank is strictly voluntary.
6. Application for sick leave from the Sick Leave Bank will not be approved until the employee has exhausted all annual and sick leave. This form is available in the Payroll Office.
7. Employees who apply for sick leave from the Employee Sick Leave Bank must complete the **Request for Use of Employees' Sick Leave Bank Form**. It must accompany the Medical Certification Form properly completed by the healthcare provider. The maximum sick leave that an employee may request from the Employees' Sick Leave Bank at any one time is forty (40) days.
8. For additional sick leave the employee must submit a separate request following the Procedures as defined.
9. The employee must submit appropriate documentation to the immediate supervisor for preliminary review. Forms will then be forwarded to the Sick Leave Bank Committee for consideration.
10. If approved, the Committee Chair will notify the employee in writing and indicate the total amount of sick leave hours approved.
11. The Committee Chair will then notify the Payroll Manager so that the employee's payroll records can be adjusted with the additional sick leave.
12. If disapproved, the Chair will notify the employee in writing specifying the reason(s) for the disapproval and the employee will then be allowed the opportunity to appeal the decision. The decision of the full committee is final.

E. Annual Leave

I. Policy:

The College recognizes the value to the institution and to its staff for providing them the opportunity of relaxation and recreation for an extended period during the course of their employment. The administration will make every effort to promote total utilization of accrued annual leave each year. Regular probationary full-time, regular part-time, and temporary full-time staff hired for six months or more earn annual leave. Leave is accrued and recorded to coincide with the fiscal year July 1 to June 30.

The College reserves the right to approve, disapprove or schedule an employee's annual leave in response to the needs of the College. Supervisors should make every effort to schedule annual leave during the periods least disruptive to the educational process. The College may exercise its prerogative by scheduling annual leave in addition to the regularly scheduled holiday time. For that reason, the breaks between semesters and the Christmas holiday season should receive major consideration for scheduling of vacation, particularly for those staff members whose workloads are diminished during those times.

In this regard, the College administration may exercise its prerogative to extend the Christmas break for all employees by scheduling a maximum of eight days of annual leave in addition to the regularly scheduled holiday.

Annual leave is earned during actual time worked and during paid sick leave and annual leave, holidays and paid leaves of absence. Annual leave is not earned during unpaid absence. Full-time employees accrue 8 hours of annual leave per pay period or 192 hours per year (24) days. Regular part-time employees earn annual leave on a prorated basis. New employees are encouraged not to use annual leave during their six-month probationary period.

A maximum of 24 days may be taken at one time. The President or designee must approve vacation time beyond this maximum. Vacation may not be taken without the prior approval of the employee's immediate supervisor.

All regular employees will be permitted to carry over accrued annual leave from one fiscal year to the next not to exceed a total accumulation of 192 hours or 24 days. Leave in excess of 192 hours or 24 days will be lost if not taken before September 30 of each year.

Upon discharge or other termination of employment, staff members are paid for unused annual leave based on the employee's contracted hourly pay rate to a maximum of 192 hours or 24 days.

Employees who are hired under a federal, state or other grant (considered soft money grants) will be paid their accrued annual leave, up to 192 hours, upon the completion of the grant, or upon separation from the program.

II. Procedures

Requests for approval must be submitted on the official leave form to the immediate supervisor prior to the requested leave.

F. Compensatory Leave

I. Policy

The College does not encourage the practice of assigning work tasks to its classified employees, (non-exempt under the Federal Fair Labor Standards Act) which cannot be accomplished during the regular 40-hour work week. Nevertheless, the College recognizes that such work is sometimes inevitable and, therefore, enacts the following policy in response to this situation.

Compensatory time (overtime) may be earned only by classified employees who fall within the approved salary matrix. Compensatory time is used only for work that cannot be accomplished during the regular schedule. The regular work week consists of forty hours (five days x 8 hours a day).

The rate of pay for authorized overtime work shall be at the rate of 1.5 times the regular salary hourly rate for each hour over 40 hours worked each week (e.g. holidays, etc.). The regular time shall be the number of days in a short week multiplied by eight hours. Employees working during holidays will earn compensatory time at the rate of time and one half for each hour worked.

Classified employees may accrue a maximum of 40 hours compensatory time. This must be expended before a new accrual begins.

Any hours worked by a classified staff employee who, at his or her option, engages in part-time occasional or sporadic employment for the College in a different capacity from his or her primary employment shall be excluded from the calculation of hours for which the employees is entitled to overtime compensation.

This overtime plan does not apply to non-classified staff members, to volunteers, or to any other College employee who is exempt from the overtime requirements under the Fair Labor Standards Act, as amended.

II. Procedures

1. All overtime must have prior approval in writing by the immediate supervisor. If an emergency does not allow for prior approval, the employee must have approval in writing as soon as possible. A specific explanation of work to be done is required on all overtime work requests.
2. Compensatory leave must be expended within the fiscal year since it is not carried over from one fiscal year to the next. Exception to this policy will be those employees earning compensatory time the last two weeks of the fiscal year will have until July 30 to comply with policy.

3. Compensatory leave, which is unexpended, is not reimbursed upon the termination of the employee contract; however, it may be utilized towards advancement of the employee's effective departure date.
4. The immediate supervisor will maintain and review an accurate account of all compensatory time earned and expended on a pay period basis and insure that all compensatory time earned is expended as per the above Procedures and time frame. Compensatory time earned and used will be recorded on the approved time sheet.

G. Holidays

I. Policy

When a holiday falls on a Saturday or Sunday, employees who normally work on Saturday or Sunday will observe that day; otherwise, when a holiday falls on Saturday, Friday will be observed; when a holiday falls on Sunday, Monday will be observed.

Departments whose work requires classified employees to work on a holiday are required to provide compensatory time off at the rate of time and one-half for each hour worked at the earliest opportune time.

The College provides the following paid holidays:

1. Good Friday (1) ✓
2. Memorial Day (1) ✓
3. Independence Day (1) ✓
4. Labor Day (1) ✓
5. Thanksgiving Day and the day after (2) ✓
6. Christmas Eve and Christmas Day (2) ✓
7. New Year's Day (1) ✓
8. Martin Luther King (1) ✓
9. Veterans Day (1) ✓

II. Procedures

Employees required to submit time sheets must record the holiday on the time sheet for the appropriate pay period.

H. Administrative Leave For Military Duty

I. Policy

Any regular or probationary full-time employee who is a member of the National Guard, Air National Guard, or any other organized unit of the Armed Forces of the United States shall be entitled to military leave for a period not to exceed ten (10) work days in each calendar year. A regular or probationary full-time employee, who is a member of an unorganized legal reserve component may be granted, at the discretion of the President and with the approval of the Board of Regents, military

leave not to exceed ten (10) work days per calendar year for the purpose of attending organized courses of instruction for training periods authorized for members of such components.

II. Procedures

1. Leave forms verifying prior approval must be submitted with military orders attached.
2. Any employee who is called for active duty for an extended period shall be recommended for a leave of absence by the department supervisor.

I. Court and Jury Leave

I. Policy

When in obedience to a subpoena or direction by proper authority, a regular, probationary full-time, or temporary full-time employee appears as a juror or a witness, the individual shall be entitled to court and jury leave with pay for the period required. When a staff member, not in his/her official capacity but as an individual in private litigation with the Federal Government, the State of New Mexico or political subdivision thereof, the time absent from work shall be taken as Annual Leave, Personal Leave, or Leave Without Pay, whichever applies.

Regular and Probationary Staff members on Court or Jury Leave cannot retain payments received from both the second institutional agency or entity and the College for the same period of service. The staff member on court or jury leave has the option of retaining the amounts paid by one of the entities but not both and must refund one of the payments to the College. This does not cover travel and per diem reimbursements policy. This restriction on additional or double payment does not apply to employees who are on annual leave during court appearances or jury duty.

Attendance in court or an official hearing in connection with a staff member's official duties, and the time required in going and returning, shall not be considered as absence from work.

II. Procedures

Employees on court or jury duty must submit an approved leave form prior to the leave.

J. Bereavement Leave

I. Policy

A staff member may be granted five (5) days administrative leave upon the death of any member of his/her immediate family. Additional leave for bereavement purposes may be granted and shall be deducted from sick, personal, or annual leave as appropriate. For bereavement purposes: Immediate family members include

husband, wife, father, mother, sister, brother, son, and daughter.

II. Procedures

The employee must inform his/her immediate supervisor and then submit the approved administrative leave form as soon as possible.

K. Voting

I. Policy

On an election day, an employee who is a registered voter and requests time to vote in a local, state and federal election will be granted up to two (2) hours administrative leave for the purpose of voting. This leave may be used for no other purpose other than for voting.

II. Procedures

Supervisor may stagger the voting schedule for his/her employees.

VII. THE FAMILY AND MEDICAL LEAVE ACT

I. Policy

The Family and Medical Leave Act (FMLA) entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for a specified family and medical reason. Eligible employees will be granted up to a total of 12 work weeks using their sick and/or annual leave. Unpaid leave will be used for the balance of the leave. The employee must be employed for at least one year and have worked at least 2,020 hours over the previous 12 months. The FMLA can be used for one or more of the following reasons:

- For the birth and care of the newborn child of the employee.
 - For placement of a child for adoption or foster care by the employee.
 - To care for an immediate family member (spouse, child, or parent) with a serious health condition.
 - When the employee is unable to work because of a serious health condition.
1. Spouses employed by the same employer are jointly entitled to a combined total of 12 work weeks of family leave for the birth and care of the newborn child, for placement of a child for adoption or foster care, and to care for a parent who has a *serious health condition*.
 2. Leave for birth and care, or placement for adoption or foster care must conclude within 12 months of the birth or placement.
 3. Intermittent leave may be taken whenever medically necessary to care for a seriously ill family member, or if the employee is seriously ill and unable to work.

4. Accrued sick and annual leave must be used to cover some or all of the FMLA leave.
5. The employee is responsible for insuring that his/her portion of the health insurance payment is received by the College, before the 1st of each month, failure to do so will result in cancellation of health insurance.

II. Procedures

1. Employees seeking to use FMLA leave are required if possible to provide 30-day advanced notice of the need to take FMLA leave.
2. Employee must provide a medical certification supporting the need for leave due to a serious health condition affecting the employee or an immediate family member.
3. Periodic medical re-certification may be required, if appropriate.
4. For intermittent leave the employee must try to schedule treatment so as not to unduly disrupt the workload for staff.
5. Health insurance payments must be received by payroll manager before the 1st of each month. Failure to do so may cancel health insurance coverage for the employee.

PART VIII. FRINGE BENEFITS

Automatic Benefits:

A. Social Security

I. Policy

The percentage of payment required by law is deducted from the employee's paycheck and the College's contribution is made as required by law. The total is deposited with the U.S. Social Security Administration. Coverage includes all employees, including temporary and on-call staff. Percentages are based on salary and distributed at a rate of 1.45% for Medicare and 6.2% for OASDI (*Old Age Survivors Health Insurance*).

B. Educational Retirement Act (ERA)

I. Policy

An employee is eligible to participate in Educational Retirement (ERA) effective the first day of employment. The College will contribute 8.65 percent of the employee's gross salary. Employee contribution is 7.6 percent of gross salary. Coverage includes all employees working more than one-quarter time, including temporary and on-call staff

The ERA annuity is vested within 5 years. This means employee's contribution and the College's contribution are permanently part of the employees personal retirement fund even though he/she should terminate employment with the College.

If the employee should terminate employment with the College, the employee may withdraw its payroll contribution made to ERA or leave it in his or her account. If an employee decides to terminate employment, State statute does not allow the College's contribution to be withdrawn before retirement; therefore, this portion will revert to ERA.

II. Procedures

1. All new employees must fill out an ERA form.
2. Any questions regarding ERA should be directed to the Educational Retirement Board.

C. Public Employees Retirement Act (PERA)

I. Policy

A small number of current employees were allowed to continue participating in Public Employees Retirement Act (PERA). The College and the employee make contributions to this fund. State law precludes the College from currently offering PERA to employees.

D. ERA & PERA Retiree Health

I. Policy

The State of New Mexico requires that all employees contribute to these funds. An employee is eligible and mandated to participate in ERA retiree health effective the first day of employment. The College will contribute 1.3 percent of the employee's gross salary. Employee contribution is .65 percent of gross salary. Coverage includes all employees, including temporary staff.

II. Procedures

1. Employees contemplating retirement are encouraged to contact Education Retirement Boards (ERB) or Public Employment Retirement Board (PERA) to make arrangements for their retirement funds.

E. Unemployment Compensation

I. Policy

State law requires that employers provide unemployment compensation to its employees. Employees are covered under the provisions of the Unemployment Compensation Law of New Mexico and are, therefore, afforded the rights and privileges of this statute. The College solely makes contributions to this insurance. Coverage includes all employees, including temporary employees.

F. Workers' Compensation

I. Policy

Employees are covered under the provisions of the Workers' Compensation Law of New Mexico and, therefore, afforded the rights and privileges of this statute. The College makes contributions to this insurance. Coverage includes all employees, including temporary staff. Workers Compensation provides compensation for medical treatment for work related injuries. It also provides salary compensation at the rate of 66 2/3 percent beginning with employee's fourth day of disability.

II. Procedures

1. If an employee is injured while on the job, he/she must notify his/her supervisor immediately so that his/her injury may receive proper treatment.
2. The supervisor must fill out a '*NOTICE OF ACCIDENT REPORT*' form immediately and send it to the Dean of Finance. (Report forms are available from the Dean of Finance Office.)
3. A comprehensive report of work-related accident must be filled within twenty-four working (24) hours of the occurrence of the accident, witnessed and submitted by the immediate supervisor to the Dean of Finance.
4. If an employee receives a full payroll check, even though he/she is on annual or sick leave from the College while claiming disability, he/she must turn over his/her Workers' Compensation check to the College to avoid illegal "double-dipping" of salary and to reinstate a portion of employee's annual and sick leave.

G. Insurances and Tax Benefits

I. Policy

Coverage under the following eight plans is optional, not automatic. Employees will be reminded by the Human Resource Director of eligibility to participate, but it is the employee's responsibility to get information and apply for these benefits in the payroll office. Coverage begins the first of the month following the employee's application as an eligible employee.

For insurance benefits, if the employee applies for coverage within 31 days of eligibility, the employee and his/her dependents (if applicable) will be covered without physical examinations or reference to pre-existing conditions. If the employee begins participation after that time, waiting periods apply or coverage may be denied.

1. Life Insurance

Group Term Life insurance is provided to full-time employees who are eligible to receive benefits. Employees are insured for \$50,000 of term life insurance at no cost to the employee. The College pays 100% of the premium.

Supplemental life insurance is available in amounts equal to one, two, or three times of an employees' annual salary. This insurance is optional and the employee pays the premium. The premiums are based on the age of the insured and the amount of coverage selected.

Dependent term life insurance is also available. The employee may enroll a spouse and unmarried dependent children to age 19 (age 25 if a full-time student). This insurance is optional and the employee pays the premium.

2. Health Insurance

The employee is eligible to participate in the College's group health insurance plan effective the first of the month following employment.

The employee may select either single coverage; employee and one dependent coverage; or a family plan, which includes coverage for spouse and dependent children. A premium rate schedule is applied according to salary. The employee pays a share of the premium, based on the plan chosen. A rate schedule is available from the payroll office.

It is the responsibility of the employee to immediately notify the Payroll Manager, in writing, if his/her family status changes due to divorce or legal separation, death of spouse or dependent, or if "dependent child" becomes ineligible under the health plan. Taking this action protects continuation rights for spouse and/or dependents.

3. Dental Insurance

Coverage is available for employees who are eligible to receive benefits. A premium rate schedule is applied according to salary. The employee pays a share of the premium, based on the plan chosen. A rate schedule is available from the payroll office.

4. Vision Insurance

Coverage is available for employees who are eligible to receive benefits. A premium rate schedule is applied according to salary. The employee pays a share of the premium, based on the plan chosen. A rate schedule is available from the payroll office.

5. 125 Plan

The College has a 125-Plan as authorized by the Internal Revenue Code. Employee health and dental insurance premiums are deducted on a pre-tax basis. The election is for a twelve-month period and cannot be changed except during open enrollment in November of each year.

6. Flexible Spending Accounts (Dependent Care and Medical)

An employee may elect to set aside up to \$5,000 of salary a year from pre-tax dollars in an account for dependent care expenses or \$2,000 for out-of-pocket medical expenses. Flexible Spending Accounts reimburse qualified expenses with dollars that will never be taxed. This account is subject to applicable IRS regulations.

7. Tax Sheltered Retirement Accounts

The College provides tax sheltered account programs to its employees as authorized under Section 403(b) of the Internal Revenue Code. Salary reduction agreements are processed through the Payroll Office. A variety of companies are available for participants.

8. COBRA Plan

Terminating employees will retain the insurance benefits they have elected through the month in which they leave the college, provided the full premium has been paid. Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), employees may elect to continue medical, dental and/or vision coverage. A terminating employee has 60 days following the date his/her coverage ends to enroll in the COBRA Plan.

A spouse of an employee whose coverage ends due to divorce, or when a child reaches the maximum age for coverage as a dependent, may continue medical coverage for thirty-six (36) months under the COBRA. A terminating employee may elect to continue medical coverage for eighteen (18) months beyond termination. Election must be made sixty (60) calendar days from the date coverage ends.

The cost for COBRA for employees and/or dependents is 102 percent of the total premium (employee contribution + employer contribution + 2 percent administrative fee). This premium must be paid to the CompuSys / RRRRISA, Inc. (ERISA) on time each month or COBRA coverage will be discontinued.

COBRA forms are available at the payroll office.

H. Return to Work

I. Policy

Any retired ERA member may return to ERA employment after a minimum of one-year retirement and receive a salary and their full retirement benefits.

The twelve-month consecutive break in service required under the Return to Work Program of the ERA Act shall mean that no service shall be rendered to any administrative unit by the retired member for this period. Such service shall be defined as including all employment whether full-time, part-time, including service

less than .25 FTE or the \$10,000 per year limit, substitute teaching, or services rendered as an independent contractor, and employee of an independent contractor or any other employment as described by law.

The consecutive twelve-month break in service shall be calculated from the effective date of retirement until the first day of re-employment.

Any and all time a retired member has provided service to an administrative unit under the Return to Work Program cannot be used in the calculation of retirement benefits.

Retired members participating in the Return to Work Program may not participate in ERA contributions.

II. Procedures

1. Any retired member who is participating in the return to work program who has violated the provisions of the program, failed to submit the required form or is discovered to have been ineligible to participate in the program shall have their (ERA) retirement immediately suspended and shall pay the Educational Retirement Fund a sum equal to all retirement payments that they have received while ineligible under the provisions of the Return to Work Program plus interest at a rate to be set by the Educational Retirement Board.
2. Before the retired member's monthly retirement benefits can resume, the suspended retired member must certify to the Educational Retirement Board that they have terminated any and all employment that would disqualify them from retirement under the Act. To re-qualify for the Return to Work Program, he/she must complete the minimum twelve-month break in service calculated from the date of reinstatement of retirement.
3. No retired member is eligible for the Return to Work Program until they submit a signed and notarized Return to Work form as supplied by ERB verifying their eligibility for the Return to Work Program.

I. Tuition Waiver

I. Policy

Tuition for college educational offerings at Northern may be waived for any regular and probationary full-time and part-time staff member with benefits and his/her dependents upon receipt of appropriate approvals. Tuitions Waivers are NOT to be used for continuing education courses.

The eligible staff member or eligible dependent must pay all fees other than tuition prior to or at the time of registration.

Full-time staff members may enroll in classes after normal working hours. Eligible

dependents may enroll in classes after the waiver process has been completed. Verification of dependency status will be conducted by the Financial Aid Office and the employee's most recent income tax form must accompany the tuition waiver form. Upon the approval by the staff member's supervisor, release time for one class per semester, not to exceed four credit hours, may be granted to full-time staff members between 8 am and 5 pm.

Tuition may be waived for any part-time staff employee not entitled to benefits for a maximum of four credit hours per semester. Course work is to be taken after normal working hours. ***Dependents of part-time employees are not entitled to benefits.*** Tuition waivers cannot be used for continuing education courses.

II. Procedures

1. Tuition Waiver forms must be processed and approved; i.e., supervisor, Financial Aid Office if appropriate, and the President.
2. All fees must be paid prior to registration.

PART IX. COMMUNICATION/SECURITY

I. Policy

Proper security of buildings and offices is a very important matter. Property must be protected from theft, as well as from unauthorized use. Employees requesting keys to their offices are personally responsible for the use of these keys. Employees with keys must return them to the College on the last day of employment or be charged for them.

Employees entrusted with the custody of safes, vaults, and confidential files are to be responsible for their security before leaving for the day.

The College has experienced no unusual safety problems regarding employees working evenings or weekends. However, when evening or weekend work is required, one should take special precautions to safeguard him/herself and College property.

Unusual, suspicious or potentially harmful situations should be reported to Campus Security for investigation. An employee should call 911 when confronted with potentially harmful situations. When weekend work is intended, security should be notified.

A. Telephone Use

The College realizes that occasionally it may be necessary or expedient for the employee to make personal calls during working hours. The employee may make a brief local call. Making or receiving calls from friends is discouraged. The College discourages but also recognizes there may be occasions in which long distance personal telephone calls may need to be made. Consequently, a long-distance

telephone billing along with an invoice is provided to each employee on a monthly basis. Staff is required to review the billing and approve bill as work related. If calls are not work related, employee is to remit payment to the cashier for all personal calls and attach request to the bill and return to the business office.

The College encourages that personal long distance calls be charged to personal credit cards, pre-paid phone cards, or personal cell phones.

B. Computer Security Statement

College equipment including computer hardware and software are valuable assets. They should be used for official College business only. Although every effort is made to secure the privacy of each authorized user, messages or files stored on the computer or system network should not be considered to be entirely private or secure. The College reserves the right to have access to any information stored on a college owned computer or network. Employees should not change settings on computers or participate in pornography or private chat groups.

C. Computer Resource Standards

I. Policy

Northern New Mexico Community College provides its students and employees wide access to information resources and technologies. With the advent of new forms of technology, Northern has recognized that the free exchange of opinions and ideas essential to academic freedom is furthered by making technological resources more accessible.

At Northern, technological resources are shared by its users; misuse of these resources by some users infringes upon the opportunities of all the rest. As Northern is a public institution of higher education, however, the proper use of those resources is all the more important. That Northern makes its technology available for educational purposes requires users to observe Constitutional and other legal mandates whose aim is to safeguard equipment, networks, data and software that are acquired and maintained with public funds.

II. Procedures

1. Computing resources (including, but not limited to, desktop and laptop systems, printers, central computing facilities, college-wide networks, local-area networks, access to the Internet, electronic information) of Northern New Mexico Community College are available only to authorized users, and any use of those resources is subject to these standards.
2. All users of Northern's computing resources are presumed to have read and understood the Standards.

3. While the Standards govern use of computing resources campus-wide, an individual center may establish guidelines for computing resource usage which supplement (but do not replace or waive) these Standards.
4. Use of Northern's computing resources, including websites created by employees, are limited to educational, research, service, operational, and management purposes of Northern New Mexico Community College.

B. Monitoring/ Review of Data

I. Policy

It is not Northern's practice to monitor the content of electronic mail transmissions, files, or other data maintained in its computing resources. The maintenance, operation and security of Northern's computing resources, however, require that network administrators and other authorized personnel have access to those resources and, on occasion, review the content of data and communications maintained there. A review may be performed exclusively by persons expressly authorized for such purpose and only for cause. To the extent possible in the electronic environment and in a public setting, a user's privacy will be honored. Nevertheless, that privacy is subject to New Mexico's public records laws and other applicable state and federal laws, as well as policies of Northern's Governing Board of which may supersede a user's interests in maintaining privacy in information contained in Northern's computing resources.

C. Network Security

I. Policy

While Northern takes reasonable measures to ensure network security, it cannot be held accountable for unauthorized access to its computing resources by other users, both within and outside the Northern community. Moreover, it cannot guarantee users protection against loss due to system failure, fire, etc.

D. Confidentiality

I. Policy

Much of the data contained in Northern records that are accessible through use of computing resources is confidential under state and federal law. That a user may have technical capability to access confidential records does not necessarily mean that such access is authorized. A user of Northern's computing resources is prohibited from the unauthorized access to , or dissemination of, confidential records.

1. Northern personnel are discouraged from offering advice to Northern employees regarding personal, non-job-related use, maintenance or repair

of any computer equipment or software that belongs to such employees. Northern can assume no responsibility for any result from such advice

6. Violation of any provision of the Standards could result in immediate termination of a user's access to Northern's computing resources, as well as appropriate disciplinary action. A violation of the Standards should be reported immediately to the appropriate administrator.

E. Prohibited Conduct

The following is prohibited conduct in the use of Northern's computing resources:

1. Posting to the network, downloading or transporting any material that would constitute a violation of Northern New Mexico College contracts.
2. Unauthorized attempts to monitor another user's password protected data or electronic communication, or delete another user's password protected data, electronic communications or software, without that person's permission.
3. Installing or running on any system a program that is intended to or is likely to result in eventual damage to a file or computer system.
4. Performing acts that would unfairly monopolize computing resources to the exclusion of other users, including (but not limited to) unauthorized installation of server system software.
5. Hosting a website through the use of Northern's computing resources with the use of "nnmc.edu" in its URL. If an institution owns additional domain names, those services should directly reroute visitors to an "nnmc.edu" domain and not host web pages directly.
6. Use of computing resources for non-Northern commercial purposes.
7. Use of software, graphics, photographs, or any other tangible form of expression that would violate or infringe any copyright or similar legally recognized protection of intellectual property rights. (See Music Sharing)
8. Activities that would constitute a violation of any policy of Northern's Governing Board, including (but not limited to) Northern's non-discrimination policy and its policy against sexual harassment.
9. Transmitting, storing, or receiving data, or otherwise using computing resources in a manner that would constitute a violation of state or federal law, including (but not limited to) obscenity, defamation, threats, harassment, and theft.
10. Attempting to gain unauthorized access to a remote network or remote computer system.

11. Exploiting any computing resources system by attempting to prevent or circumvent access, or using unauthorized data protection schemes.
12. Performing any act that would disrupt normal operations of computers, workstations, terminals, peripherals, or networks.
13. Using computing resources in such a way as to wrongfully hide the identity of the user or pose as another person.

F. Staff Personal Website Standards

I. Policy

Faculty may use Northern's computing resources for development of personal websites as a learning tool. Use of Northern's resources for this purpose is a privilege, not a right. The development and maintenance of such a website is subject to the following Faculty Personal Website Standards, as well as the General standards for Use of Northern's Computing Resources:

II. Procedures

1. The author of a website may not use the site to advertise personal services, whether or not for financial gain, not for any commercial purpose.
2. A website may not be created in such a way as to allow any person unauthorized access to Northern's computing resources.
3. The author of a website is solely responsible for the contents of the site. The home page of a personal website must display, or link to, the following disclaimer in a conspicuous manner:

"This site is authored and maintained by [name of author]. It is not an official website of Northern New Mexico College, and Northern is not responsible for the contents of this site."

4. Northern does not endorse the contents of any personal website. It is solely the author's responsibility to ensure that the personal website comply with all relevant Standards, as well as state and federal laws, and any relevant policy of Northern's Governing Board.
5. Upon discovery of a violation of any relevant Standard, Northern may unilaterally delete a personal website from its computing resources and terminate the author's access to those resources.

G. Music Sharing

I. Policy

It is a violation of the Computing Resource standards to engage in copyrighted music sharing. This includes (but is not limited to) Kazaaz, Mprpheus, and/or Napster. Various "Prohibited Conduct" contained within the Standards that address this are listed below:

1. "Posting to the network, downloading or transporting any material that would constitute a violation of Northern New Mexico College contracts."

There is contractual service that provides for the legitimate use of copyrighted music for instructional purposes.

2. "Performing acts that would unfairly monopolize computing resources to the exclusion of other users, including (but not limited to) unauthorized installation of server system software."

Use of programs designed to share music and music files also use a great deal of network bandwidth. This is monopolizing Northern's resources for personal use.

3. "Use of software, graphics, photographs, or any other tangible form of expression that would violate or infringe any copyright or similar legally-recognized protection of intellectual property rights."

This includes music an music file sharing programs.

4. "Activities that would constitute a violation of any policy of Northern's Governing Board, including (but not limited to) Northern's non-discrimination policy and its policy against sexual harassment."

By using these programs you are downloading copyrighted material for which you may have no license to use.

Music sharing may also be defined as making unauthorized copies of personal music CD's for students or fellow employees. This is not only a misuse of computing equipment, but potentially a violation of copyright law.

The Computing Resource Standards state:

"Violation of any provision of the Standards could result in immediate termination of a user's access to Northern's computing resources, as well as appropriate disciplinary action. A violation of the Standards should be reported immediately to the appropriate administrator."

Northern's MIS Department will identify music sharing programs/music files, and notify the appropriate parties for potential termination of this service. The computer may be blocked from accessing the network until resolution of the situation has occurred.

D. Electronic Mail/Voicemail Policy

Electronic mail and voice mail should be used for official College business only. Employees should understand that electronic mail and voice mail are not secure and, therefore, should not be assumed to be private. The College reserves the right to examine all electronic mail and voice mail on a need to know basis.

E. Outside Activities

College employees should not engage in any occupation, pursuit or endeavor that will interfere with the regular and punctual discharge of official duties.

F. Purchase of Goods and Services

Employees are not permitted to purchase goods or services for personal use through the College or to remove any College property from the Campuses for private use.

PART X. VEHICLE USE POLICY

I. Policy

All college employees, students and approved volunteers whose job or assignment requires driving a college vehicle for college business shall have and must maintain a valid state drivers license, a defensive driver course certificate, and a safe driving record. A motor vehicle operator must operate the vehicle in a safe and courteous manner and follow all traffic safety laws. The vehicle operator must not be under the influence of any substance, which might impair the ability to operate the motor vehicle safely and responsibly. Fines for any violations of traffic laws will be the responsibility of the vehicle operator.

A College employee may operate his/her personal vehicle for college related business with prior approval of his/her supervisor. The employee understands, that in New Mexico, the insurance covered on a vehicle by the owner is the primary coverage; and in the event of an accident, the employee's personal vehicle insurance would apply. The use of a personal vehicle for college business will be reimbursed at the standard mileage rate of thirty-two cents (\$.32) per mile for each mile traveled, or approved State rate. The rate is intended to cover all costs associated with owning the vehicle including gasoline, maintenance, insurance, etc.

II. Procedures

Before being granted approval for operating a vehicle for college business the following requirements must be met:

1. The requestor must be a college employee or approved operator
2. The requestor must be at least 18 years of age.
3. The requestor must have a valid state driver license and maintain a good driving record. The college will review the employees Department of Motor Vehicle

(DMV) record at least once every four years. The employee must notify NNMC if their license has been suspended, revoked or cancelled, and if they have been convicted of any traffic violations other than illegal parking during the course of their employment at NNMC.

4. The requestor must have satisfactorily completed a NNMC approved defensive driving course. The college requires an approved defensive driving refresher course to be taken every four years.
5. The requestor must submit the request in writing to the vehicle pool at least one week prior to the trip and must abide by all vehicle pool regulations.
6. The College employee using his/her own vehicle must seek approval from his/her immediate supervisor prior to the trip.
7. The employee must file a travel reimbursement request after the trip.

PART XI. SUBSTANCE ABUSE POLICY

I. Policy

Northern New Mexico College is committed to prevention of unlawful possession, use or distribution of illicit drugs and alcohol by all students and employees on school premises or as a part of any of its activities.

Substance abuse in the workplace, on the campus or other college locations, or while on college business is prohibited. Substance abuse is defined as the unauthorized possession, distribution, dispensing, manufacture, sale or use or being under the influence of controlled substances that are identified in Schedules I through V of Section 202 of the Controlled Substances Act, 21 USC 812 (United States Code, Title XXI, Chapter 13) or its implementing regulations, 21 CFR Sections 1308.11 to 1308.15 where the use is neither authorized by law nor a valid prescription, or the misuse of a legal substance, including but not limited to alcohol or prescription drugs, that may affect an individual's ability to perform his or her job in a safe, adequate and secure manner. Controlled substances include, but are not limited to marijuana, barbiturates, anabolic steroids, cocaine (including crack), amphetamines, heroin, PCP, hallucinogens, and certain prescription drugs.

The unauthorized use, manufacture, distribution, dispensation, sale, possession, or transfer of controlled substances (as prescribed by the Controlled Substances Act or identified in Schedules I through V of the Act as described above) on college premises constitutes a violation of this policy; such violation may result in disciplinary action up to and including dismissal, reprimand, suspension with or without pay, termination or discharge from employment and referral for investigation and/or prosecution by law enforcement agencies for violation of the standards of conduct. A disciplinary action may also include the satisfactory completion of a rehabilitation program at the individual's expense.

Substance abuse shall also include the unauthorized use of possession of; or being under the influence of, alcohol or alcoholic beverages on college premises or other college locations.

“On campus, college premises, or other college locations” means in any college building on any college premises; in any college owned vehicle or in any other college approved vehicle used to transport students to and from college activities; off college property at any college-sponsored or approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the college; or during any period of time college employees are supervising students on behalf of the college or otherwise engaged in college business.

Legally prescribed drugs, so long as these drugs do not adversely affect the employee’s or student’s ability to perform required work in a safe and secure manner, may be used on the work site. When such legal drugs are to be used at the work site and will affect performance, employees should inform their supervisors.

Employees working under any federal grant or engaged directly or indirectly in performance of a federal grant must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on or off college premises while conducting college business. A report of a conviction must be made within five (5) days after the conviction. (This requirement is mandated by the Drug-Free Workplace Act of 1988.)

Drug testing that in any way involves the examination of body fluids is not permitted unless there is reasonable suspicion that a specific individual is in violation of this policy. In such cases the individual may be required to undergo testing as a condition of continued employment and/or enrollment as a student. This Procedures will require written approval by the President or his/her designee.

A. RANDOM DRUG TESTING

The obligation of employees to perform their duties unimpaired holds direct consequences for the safety of the students of the college and of the general public. Examples would include any positions that involve driving motor vehicles as a prime and regular duty. As to such employees, in addition to the enforcement Procedures set forth above, the College reserves the right at any time to require the submission of blood, breath or urine samples by any such employees for testing by an authorized testing laboratory. A refusal by such an employee to provide such a sample upon request shall be considered insubordination and may lead to disciplinary action, including discharge.

The College shall also possess the discretion to conduct nondiscriminatory random drug testing programs for students participating in athletic activities conducted or sponsored by the College.

B. HEALTH RISKS

Alcohol and controlled substance abuse can lead to early behavioral and psychosocial problems. Substance abuse is a nondiscriminative, progressive illness, which typically begins by experimentation, continues due to misinterpreted behavioral standards, and may result in addiction.

Addiction to alcohol and/or illicit drugs will debilitate the total wellness of the individual and interfere with his or her ability to carry out even simple tasks.

C. EMPLOYEE ASSISTANCE

I. Policy

Northern is committed to a safe working and learning environment for its employees, students, and the public. Substance abuse affects employee performance, conduct, and/of reliability, and students' ability to learn and complete assigned tasks.

Northern strongly encourages employees who engage in any form of substance abuse, including alcohol or other drug-related problems, to voluntarily refer themselves for assistance. The College will provide support or referral for employee assistance, rehabilitation, and/or counseling.

The **President** or his/her designee will appoint an Employee/Assistance Team. The function of this team is to intervene and make referrals to other resources (internal and external) and monitor the progress of the subject towards a return to a healthful lifestyle. The team shall, as much as possible, consist of employees who possess a degree of expertise in substance abuse counseling and treatment. The immediate supervisor and/or others in the line of supervision may be added to the team. Individual team members may exclude themselves as necessary because of personal considerations relative to specific clients and/or situations. Professional consultants may also be included.

II. Procedures

Referrals may be provided for employees who request medical help or rehabilitation. The Director of Human Resources will provide assistance, guidance, and training for supervisors and employees regarding implementation of this policy.

Employees are encouraged to participate in employee assistance. Therefore, employees who voluntarily seek such assistance, termed self-referrals, will be accorded different treatment than supervisor referrals described below. Information regarding the employee who is participating in the program will be treated as confidential and will be accorded the protection required by applicable state and federal law.

Employees who have entered into rehabilitation must comply with the terms of the program. Employees entered into inpatient rehabilitation, as a part of a prescribed program will be placed on appropriate leave status for that period. Fees and expenses incurred are the responsibility of the employee.

D. EMPLOYEE PERFORMANCE

I. Policy

Supervisors will observe employee performance and on-the-job conduct to detect behavior that could compromise the health or safety of the employee or others. When that observation indicates cause to believe that substance abuse is a factor, supervisors are to take appropriate action as directed in this policy when:

1. behavior is observed that may pose an immediate threat to the health and safety of the employee or of others and the supervisor reasonably suspects that substance abuse may be a contributing factor;
2. the use of controlled substances, the misuse of legal substances, or unauthorized use of alcohol has been observed in the workplace; or,
3. a work-related accident or incident occurs where the supervisor reasonably suspects that substance abuse may be a contributing factor.

II. Procedure

In substance abuse cases the employee's supervisor will report the matter to the Director of Human Resources who will outline the course of action with the respective Dean and take the necessary steps in compliance with this policy. The employee's supervisor may refer the employee for professional evaluation for substance abuse, and report the referral to the Director of Human Resources.

Where there is misconduct and/or substandard performance and there is uncertainty as to whether substance abuse is a factor, the supervisor will refer the employee for substance abuse assessment through the Director of Human Resources.

E. STANDARDS OF CONDUCT

All employees are expected to cooperate fully with Northern's objective of maintaining a Drug-Free Workplace. Failure to do so is deemed to be a violation of college policy and the standards of conduct prescribed therein. Accordingly, in the event that an employee violates this policy, refuses to submit to a required evaluation for substance abuse, refuses rehabilitation, fails to complete a prescribed rehabilitation program, fails to submit required documentation relative to evaluation, or falsifies any record relative to substance abuse, such employee will be subject to disciplinary action up to and including discharge.

F. EDUCATION PROGRAM

I. Policy

The Director of Human Resources and shall each provide periodic (at least twice a year) training and education in the dangers and risks to physical and mental health, economic welfare, and civil status from the use of illicit drugs and abuse of alcohol.

II. Procedure

1. The Director of Human Resources will post notices regarding drug-free workplace on major bulletin boards in each campus.
2. The College Staff Handbook and the College Personnel Policy Manuals will include Northern's Substance Abuse Policy. Disciplinary sanctions which may be imposed upon employees for violation of this policy include but are not limited to warnings, suspension from the College, and a referral to and satisfactory completion of rehabilitation programs. The College also reserves the right to make referrals to law enforcement agencies for investigation and prosecution.
3. The policy shall be included with the orientation package of material for each new employee. The Dean of each respective Division will distribute the policy to each employee under his/her supervision and will maintain records substantiating this distribution. Personal Action Notice (PAN) completion for employment will signify the respective employee's receipt of this policy.

G. CONFIDENTIALITY AND DUE PROCESS

Employees are assured that every effort will be taken to protect their confidentiality. Actions taken against employees in enforcement of this policy shall comply with such hearing or due process Procedures as may be required by college policy or state law.

H. POLICY REVIEW

A biannual review of this Substance Abuse Policy will be conducted periodically to determine its effectiveness, to implement changes as needed, and to ensure that disciplinary sanctions are consistently enforced.

This policy is adopted in accordance with Public Law 101-226, Drug Free Schools and Communities Act Amendments of 1989, for receipt of federal program funds.

PART XII. CORRECTIVE DISCIPLINE POLICY

I. Policy

Corrective discipline is designed to give employees an opportunity to correct any deficiencies. One of the primary objectives of supervision is to ensure prompt, efficient, and courteous service to the public. To achieve this, every reasonable effort will be made to ensure acceptable work performance by employees. When problems with employee behavior that affect the workplace or performance arise, a supervisor will seek to correct the problem with the least amount of disruption to the work environment. Discipline is a means to correct employee behavior and performance. Serious infractions may result in immediate suspension from work with or without pay.

II. Procedures for Corrective Discipline

A. Verbal Warning

An employee is issued a verbal warning for minor infractions or to correct minor faults in an employee's job performance. Verbal warnings are issued during a private conference between the supervisor and the employee where the supervisor explains the problem and recommends a process the employee must accomplish to return to satisfactory status. The employee is informed that the conference is being conducted for the purpose of issuing a verbal warning.

B. Written Warning

Employees will be issued a written warning as a letter or memo which contains the following information: a description of the specific problem or offense; the most recent incident and when it occurred; previous actions taken to correct the problem (if applicable); expectations and acceptable standards of performance; and warning that further unsatisfactory behavior or performance may result in further disciplinary action. The written warning is issued and discussed with the employee in private conference with the supervisor. A copy of the written warning will be given to the employee and a copy placed in the employee's official personnel record. The written warning will also specify a review period, if appropriate, in which the employee's behavior or performance will be reviewed.

C. Suspension

Employees will be suspended with pay for incidents, which are serious enough to warrant suspension, or after less severe disciplinary actions have been taken. The employee is informed of the suspension in private conference with his/her supervisor. The employee is given a letter detailing the basis for the action, which specifies: the length of the suspension (beginning and ending dates); a description of the specific problem or offense, previous actions taken to correct the problem, expectations, and acceptable standards of performance.

Suspension without pay will follow immediately upon the approval by the President or his/her designee, after investigation determines that the action is warranted.

II. Procedures

1. During the suspension (Administrative Leave With Pay), the College will review or investigate actions including but not limited to dishonesty, theft or misappropriation of Northern's property, fighting on the job, insubordination, acts endangering others, inappropriate use of technology or other conduct, which warrants removing the employee from the work site.
2. Upon conclusion of the investigation, the employee will be informed in writing of the action taken and his/her employment status.

D. Demotion

When corrective discipline requires a change in a staff member's assignment during the term of the contract, such demotion will be effected by written notice.

E. Investigatory Leave

An employee will be placed on investigatory leave, with or without notice, to permit the College to review or investigate actions including but not be limited to dishonesty, theft or inappropriate use of technology of Northern's property, fighting on the job, insubordination, acts endangering others, or other conduct which warrants removing the employee from the work site. The level will be confirmed in writing, stating the reason and the expected duration of the leave. Upon conclusion of the investigation, the employee will be informed in writing of the actual dates and pay status of the leave.

F. Discharge:

An employee will be discharged for incidents, which are serious enough to warrant discharge or after less severe disciplinary actions have been taken. This would include, but not limited to, failure to inform his/her duties in a satisfactory manner, theft, intoxication on the job, conviction of a felony, and willful damage to Northern property. It is advisable to discharge an employee in private conference with his/her supervisor and other appropriate levels of supervisors. During this conference the employee is given a letter or a memorandum clearly stating the effective date of discharge.

G. Non-Renewal of Contract

The President may not renew the contract of any regular staff employee for any reason or no reason. The President will submit the name of the employee to the Board of Regents at the next regularly scheduled Board of Regents meeting, for approval.

The regular staff employee is not entitled to be informed as to the reason(s) for the non-renewal. The regular staff employee is not entitled to any internal hearing related to the non-renewal of the contract. The regular staff employee will be notified of the non-renewal of contract.

H. Necessary Reduction-in-Force (R.I.F.)

A cause for discharge not personal to the discharged employee, where loss of funds or enrollment necessitates the reduction of staff.

XIII. TERMINATION

I. Policy

The President may terminate any regular staff employee during the term of the employee's contract, for cause. The President will submit the name of the terminated employee to the Board of Regents at the next regularly scheduled Board of Regents meeting for approval.

Termination is the consequence when unsatisfactory behavior or performance has not been changed to satisfactory performance or behavior. Furthermore, behaviors or actions that do exist warrant immediate termination or suspension. Causes for termination will include, but not be limited to:

1. Insubordination: refusal to perform duties assigned by a responsible official of the College.
2. All causes which continue after attempts of correction have failed.
3. Theft of College property, or unapproved use of College property for personal reasons, abuse or destruction of College property.
4. Reporting to work under the influence of alcohol or controlled substances, the use of alcohol or controlled substances while on the job, or unlawful manufacturing, distributing, dispensing or possessing of a controlled substance on campus.
5. Conviction of a job-related felony or misdemeanor as described in the Criminal Offender Employment Act, NMSA 1978, Section 28-2-1 et seq.
6. Sexual harassment. (Refer to Part XIII).
7. Unauthorized absence from duty for reasons other than illness or approved leave.
8. Excessive absenteeism or a discernable pattern of absences without notices.
9. Serious acts of negligence: Reckless behavior that jeopardizes College personnel, students or property.
10. Deliberate falsification of information on the employee's job application, time sheets; leave requests or other College records.
11. Failure to meet the standards of substance abuse rehabilitation program.
12. Fighting or threatening violence in the workplace.
13. Violation of harassment policy. Refer to PART XIV Pg. 48.
14. Unauthorized use of telephones, postal and e-mail systems, or College owned vehicles or equipment.
15. Inappropriate use of technology.
16. Unsatisfactory Job Performance: Failure to complete assigned tasks adequately or failure to correct such unsatisfactory performance after it has been brought to the employee's attention.
17. Student or College confidential information released to unauthorized individuals, agencies or other businesses.

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

Discharge (Dismissal) - Terminated after corrective discipline has failed or the seriousness of the conduct or situation so warrants. Refer to Procedures for discharge.

Relieved Relieved during the probationary period. Probationary employees may be terminated any time prior to completion of the probationary period without cause or recourse.

Resignation A voluntary termination of employment. Employee is required to give a minimum of two weeks notice before effective date.

Job abandonment Employee walks off job without notification.

Retirement Employee retires under the New Mexico Educational Retirement Act (ERA) and / or the Public Employees Retirement Act (PERA).

Release Termination at the end of temporary employment.

Reduction in force (RIF) A cause for discharge not personal to the discharged employee, where loss of funds or enrollment necessitates the reduction of staff

II. Procedures

Regular full-time and part-time staff members may be discharged during the term of their contract in accordance with the following.

1. The immediate supervisor will submit, through appropriate channels, to the President or President's designee a recommendation for termination. The document shall specify the specific reason(s) and any documentation that may justify the recommendation. In certain situations, but not limited to incidents such as assault, sexual harassment, being under the influence of illegal drugs or alcohol, the process may require immediate action and the supervisor or any individual who is aware of the incident may go directly to the President or President's designee for immediate action.
2. Within five calendar days of receiving the written description of cause, the staff member may request a meeting before the President or President's designee to present any evidence to dispute the alleged cause. Except for extenuating circumstances, this meeting shall take place within ten (10) calendar days of the request with at least three (3) calendar days advance notice of the hearing time and place. The meeting with the President or the President's designee is not a full-fledged hearing with cross-examination or presentation of witnesses. It is an opportunity for the staff member to personally make the case that the proposed termination should not go forward because it is mistakenly grounded upon misinformation or is otherwise contrary to the law.
3. Within five (5) work days of the meeting, the President or the President's designee shall render a written decision upholding the proposed termination or dismissing the proposal. The President or the President's designee is also authorized to propose a lesser disciplinary sanction.

4. If the staff member is dissatisfied with the decision or proposal of the President or the President's designee, within five (5) work days of the receipt of the decision, the staff member may request that a neutral fact finder/arbitrator hear and decide the staff member's appeal of the decision.
5. The fact finder/arbitrator shall be chosen from the ranks of retired or former district court or appellate judges. If the parties cannot agree on a fact finder/arbitrator within five (5) work days of the staff member's request for a hearing, the parties shall request that the presiding judge of the first judicial district select a fact finder/arbitrator from the ranks of retired or former district court or appellate judges.
6. The fact finder/arbitrator, within five (5) work days of being appointed, shall schedule a date for the hearing and the hearing will be held within thirty (30) calendar days. The fact finder/arbitrator shall promptly schedule a meeting with the parties to establish limits and deadlines on discovery of information as deemed appropriate by the fact finder/arbitrator.
7. At all levels of the termination process, the parties may be represented by counsel, or a person of their choosing and may call and cross examine witnesses or present documentary evidence subject to the ruling of the fact finder/arbitrator.
8. The hearing before the fact finder/arbitrator shall be conducted informally insofar as the New Mexico Rules of Evidence do not apply. Claims and defenses shall be fairly presented. The fact finder/arbitrator will decide whether the hearing will be open or closed to the public. Northern New Mexico Community College shall have the burden of proof as to its claim that cause exists for the termination. An audio recording of the proceeding shall be made at the expense of Northern New Mexico Community College.
9. Northern New Mexico Community College shall pay the cost of the fact finder/arbitrator. The parties shall bear their own costs and attorney fees.
10. If the fact finder/arbitrator upholds the termination, the staff member's compensation ceases as of the day of the written decision by the fact finder/arbitrator. If the fact finder rejects the termination, the staff member shall be reinstated and shall receive any raises the staff member would have received if the termination had not been begun.
11. Either party may appeal the decision of the fact finder/arbitrator into district court.

III. Post-Employment Procedures:

At the end of a staff member's employment, the immediate supervisor is responsible for:

1. Confirming that an employee's accrued annual leave up to a maximum of 192 hours, if any, is expended or reimbursed prior to end of employment.
2. Provide the Human Resources Department and Business Office with a forwarding address for the staff member;
3. Assuring that the staff member turns in all institutional equipment, materials, monies or securities, keys, files, or other inventory for which the employee is responsible.

PART XIII. RECLASSIFICATION

I. Policy

All requests for reclassification must be submitted to the Job Classification Committee for consideration. If the committee determines that the reclassification is warranted, the Chair of the Committee will submit the recommendation to the President. The decision of the President is final.

II. Procedures

1. The supervisor of the employee being considered for reclassification must submit to the Director of Human Resources the additional duties/responsibilities that he/she feels affect the reclassification.
2. The Director of Human Resources will draft a job description identifying the additional duties and/or responsibilities that will be considered by the Job Classification Committee.
3. The Director of Human Resources will submit the original job description and a draft of the proposed job description to the Chair of the Job Classification Committee.
4. The Chair of the Job Classification Committee will schedule a meeting with the members of the Committee in order to consider the recommendation of the supervisor.
5. The supervisor of the employee will present his/her recommendation and justification to the committee.
6. The Committee will review the presentation, the draft job description and score it based on the guidelines established to determine whether a reclassification is warranted.
7. If the Committee determines that the reclassification is not warranted, the Chair of the Committee will inform the employee's supervisor in writing, with a copy to the President.
8. The supervisor and/or the employee may appeal the Committee's decision to the President.

PART XIV. SEXUAL HARASSMENT

I. Policy

Any employee Northern New Mexico College is committed to providing a work environment which is free of sexual harassment and will not tolerate sexual harassment activity by any of its employees or applicants for employment. This policy also applies to individuals conducting business with the College. The College will provide annual training on current sexual harassment policies and laws.

Conduct of a sexual nature may include, but is not limited to, verbal or physical advances, including subtle pressure for sexual activity, touching, pinching, patting, or brushing against, comments regarding physical or personality characteristics of a sexual nature, sexually-oriented kidding, teasing, double-entendres and jokes, and any

harassing conduct to which an employee or applicant for employment would not be subjected to but for such individual's sex.

Verbal or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee or applicant for employment has indicated that it is unwelcome.

or applicant for employment who has initially welcomed such conduct by active participation must give notice to the alleged harasser that such conduct is **no** longer welcome in order for any such subsequent conduct to be deemed unwelcome.

For purposes of this policy, unwelcome sexual advances or requests for sexual favors and other unwelcome conduct of a sexual nature, constitute prohibited sexual harassment if:

Submission to the conduct is made either an explicit or implicit condition of employment. Submission to or rejection of the conduct is used as a basis for any employment decision affecting the harassed employee or applicants for employment; or the conduct substantially interferes with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

II. Procedures for Filing a Complaint

1. If an employee believes that he/she has been sexually harassed, that employee/applicant shall report, either verbally or in writing, the alleged incident to his/her supervisor within five (5) working days of the alleged incident. If the report is done verbally, the employee must be willing to verify verbally such allegations during the course of the investigation, if required.
2. If the immediate supervisor is part of the alleged conduct, or if for some legitimate reason the employee feels uncomfortable about making a report to the supervisor, the employee may contact the Human Resource Office directly and verbally or in writing make a report. If the report is done verbally, the employee must be willing to verify verbally such allegations. During the course of the investigation, the Human Resources Director will document the complaint.
3. If the alleged harassed individual is an applicant for employment, that individual must report the alleged incident directly to the Human Resources Office within five (5) working days of the alleged incident. Human Resources will document the complaint. The report may be done verbally or in writing. If the report is verbal, the alleged harassed applicant must be willing to verify verbally such allegations during the course of the investigation.
4. The College is committed to thoroughly investigate complaints of alleged sexual harassment and take whatever action is deemed appropriate. The investigation will be conducted with confidentiality and respect for the rights of all individuals involved. Information related to the investigation will be released only on a need

to know basis. The President, or designee, will be the authority on releasing any information or documents as they pertain to a specific case.

PART XV. WORKPLACE HARASSMENT

I. Policy

Northern New Mexico College is committed to maintaining a professional working environment. Harassment of any kind is unacceptable behavior and is inconsistent with our commitment to excellence. The College is committed to creating an environment in which every individual can work without being harassed and expects all supervisors to treat subordinates with respect and dignity.

Harassment is any conduct, verbal, nonverbal, or physical, that has the intended effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Unprofessional conduct, which may be considered harassment includes but not limited to: yelling, cursing, silent treatment, or using degrading terminology.

II. Procedures

Any employee who feels harassed is encouraged to seek assistance and resolution of the complaint and will follow the Procedures established in the internal grievance process.

Harassment may, therefore, lead to sanctions up to and including termination of employment.

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APPENDIX

Northern New Mexico College Organizational Chart
Payroll Timesheet (Classified and Externally Funded Employees)
Staff Performance Planning and Evaluation Form
Staff Leave Request Form
Faculty Leave Request Form
Personnel Action Form
Northern New Mexico College Maps
Employee Physical Fitness Contract