



# BlueRidge

COMMUNITY AND  
TECHNICAL COLLEGE

## STAFF HANDBOOK

MEMORANDUM

TO: Staff

FROM: Trudie Holder  
Director of Human Resources

DATE: March 2007

SUBJ: Classified Employee Handbook

Attached please find your copy of the BlueRidge Community & Technical College Employee Handbook.

The handbook is intended to be a helpful guide to questions you may have about your employment at BlueRidge Community & Technical College. It is not a comprehensive manual of all policies and procedures, but will hopefully answer many basic questions and direct you to the right sources of additional information.

Policies and procedures will change from time to time to accommodate changes in circumstances and applicable law. At any given time, existing policy and law will prevail over inadvertent error or outdated material in the handbook.

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## **FOREWORD**

Welcome to BlueRidge CTC. BlueRidge is a diverse community made up of students, faculty, and staff from diverse cultures. The success of BlueRidge in achieving its mission can only be assured if we all work together. Your role as a staff member is very important to the success of this mission. If you have any questions or comments about the contents of this handbook, you should discuss them with your supervisor or the Director of Human Resources.

The handbook is a guide to questions that you may have during your employment at BlueRidge CTC. Policy changes will be made as adapted and approved by the College.

BlueRidge CTC is an Equal Opportunity/Affirmative Action institution. BlueRidge CTC does not discriminate on the basis of race, sex, age, disability, veteran status, religion, sexual preference/orientation, ancestry, blindness, familiar status, ethnicity, color, or national origin in the administration of any of its educational programs, activities, or with respect to admission or employment. BlueRidge CTC, through its Affirmative Action Plan, seeks to employ qualified personnel on an equal opportunity basis.

The employee handbook is not an implied or expressed employment contract. The provisions of this handbook are guidelines rather than policies, and BlueRidge CTC reserves the right to depart from such guidelines where circumstances warrant. Existing policy and law will prevail over any inadvertent errors in the following text. Guidelines outlined in this handbook may be changed at any time at BlueRidge CTC's discretion. The duration of employment for any employee is unspecified, and is at the discretion of BlueRidge CTC within appropriate parameters established by applicable rules, policies, and laws. This edition of the handbook supersedes and replaces all previous handbooks, including but not limited to the Board of Regents Classified Employee Handbook of 1987, Shepherd College Handbook of 1999, The Shepherd University Handbook of 2005, and the BRCTC Handbook of 2006.

## **AN INTRODUCTION TO THE COLLEGE**

BlueRidge CTC is a state-supported institution within the West Virginia Community and Technical system of higher education. BlueRidge CTC is a comprehensive center of higher learning, serving a number of related, yet distinct roles:

- BlueRidge CTC offers a diverse selection of programs leading to associate's degrees. There is continual planning to expand further the variety of career-oriented programs available to students whose immediate objective is not a degree.
- BlueRidge CTC provides credit courses for individuals with no degree aspirations but who seek to broaden and update their knowledge in either familiar or new fields of intellectual endeavor.
- For the Eastern Panhandle of West Virginia, BlueRidge CTC is a center for non-credit continuing education, public service, and convenient citizen access to extensive programs in art, music, athletics, and other areas of public interest.

BlueRidge CTC has a responsibility to extend its resources beyond the campus, bringing higher education closer to those who seek it. BlueRidge CTC offers courses throughout The Eastern Panhandle of West Virginia.

# **EMPLOYMENT**

## **Equal Employment Opportunity and Affirmative Action Policy**

BlueRidge CTC is an Equal Opportunity/Affirmative Action institution. BlueRidge CTC neither affiliates knowingly with, nor grants recognition to, any individual, group, or organization having policies that discriminate.

BlueRidge CTC, through its Affirmative Action Plan, seeks to employ qualified personnel on an equal opportunity basis at all campus locations and facilities. Further, faculty, staff, students, and applicants are protected from retaliation for filing complaints or assisting in an investigation under BlueRidge CTC's Equal Opportunity Policy/Affirmative Action Plan.

The immediate supervisor is directly responsible for equal opportunity/affirmative action matters in the unit. A copy of BlueRidge CTC's Affirmative Action Plan is available for review upon request. The Director of Human Resources and Affirmative Action/Equal Opportunity is responsible for coordinating and overseeing all equal opportunity and affirmative action and related matters.

## **Immigration Reform and Control Act of 1986**

The Immigration Reform and Control Act of 1986 requires all employees, as a condition of employment, to provide original documents which establish their identity and employment eligibility. Also, each employee must complete their portion of the Immigration and Naturalization Services Employment Eligibility Verification Form (I-9 Form).

Regular employees must provide these documents within three days of the first day of employment. BlueRidge CTC retains copies of the original documents along with the completed I-9 Form for a period of years as required by the act.

## **Orientation**

During the first days of employment, the orientation process will begin. Your supervisor will provide you with an introduction to policies, procedures, programs, performance, and expectations of the position. The supervisor is the primary authority and best source for specific information regarding position responsibilities and performance expectations. The supervisor is the first person to contact concerning any questions, problems, or complaints pertaining to your duties and responsibilities or workplace conditions.

## **Probationary Period**

A six-month probation and evaluation period is provided for new classified employees or those employees who have been transferred or promoted by BlueRidge CTC. If one does not meet the standards of performance that have been previously discussed with the supervisor, the probationary period, at the discretion of the President, may be extended to a maximum of twelve months. The supervisor must request this extension from the Office of the President. To request an extension of the probationary period, a supervisor must identify specific deficiencies and include a planned corrective program, outlining goals and objectives within a specific time frame for achieving the desired performance. The employee will be notified of the extension, and deficiencies and improvements required.

Extension of the initial probationary period automatically extends the timeline for the probationary performance appraisal. During the initial or extended probationary period, all classified employees are restricted from application for College transfer or promotion without written authorization from their immediate supervisor, and are ineligible for the Tuition Waiver Program.

An employee may be separated during the initial or extended probationary period if he/she fails to meet established position expectations. During this time period, termination of a newly hired employee may occur following one letter of warning for misconduct or performance issues. Transferred, promoted, or demoted employees in a probationary period may be terminated for misconduct issues or performance issues following two letters of warning.

Classified employees will be evaluated at the end of three months and at the end of the probationary period and will be considered a regular classified employee.

Non-classified employees will be evaluated after 90 days and six months. However, since non-classified employees are "will and pleasure," some aspects of probation do not apply.

### **Medical Examination During Employment**

Under certain conditions such as health and safety concerns, requirements of federal or state law, or for independent medical leave verification, BlueRidge CTC may require the employee to undergo one or more medical examinations. Such examinations will be performed at the College's expense.

The result of medical examinations and any associated reports will be shared with the employee and will serve as a basis for making administrative decisions related to job retention, reassignment efforts, reasonable accommodations, job separation, and other personnel matters related to the affected employee(s). Any supervisor who wishes to require such an examination can do so only after approval from the Office of Human Resources regarding the particular situation.

### **Job Accommodation During Employment**

An employee in his/her present position who is otherwise qualified and has or acquires a permanent medical impairment or impairments causing functional restrictions or limitations which can be reasonably accommodated, will be provided such measures by BRCTC, if reasonable accommodation will permit the employee to meet the essential requirements of his/her particular job. For additional information contact the Office of Human Resources.

### **Employment Status (BOG Policy 9)**

- **Full-Time Regular Employee**- an employee in a classified position created to last a minimum of nine months of a twelve-month period and in which such employee is expected to work no less than 1,040 hours during said period. The full-time equivalent (FTE) of such a position must be reported at no less than 0.53 FTE. Such an employee is covered under the classification program and is eligible for all applicable benefits of a full-time regular classified employee, subject to the qualifying conditions of each benefit. Such benefits shall be prorated in relation to a 1.00 FTE. Length of service as a full-time regular employee with the State of West Virginia shall be credited toward initial placement on the salary schedule.
- **Part-Time Regular Employee (PTR)** - an employee in a position created to last less than 1,040 hours during a twelve-month period. An employee in a PTR position is not eligible for benefits, but is covered under the classification program.
- **Temporary Employee**- an employee hired into a position expected to last fewer than nine months of a twelve-month period regardless of hours worked per week. A temporary employee is not eligible for benefits, but is covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.

- **Casual Employee-** a casual employee position is a position created to meet specific operational needs at the college for no more than 225 hours in a twelve-month period. Individuals in a casual-employee position are not eligible for benefits and are not covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.
- **Student Employee-** an employee enrolled at the institution as a student and whose primary purpose for being at the institution is to obtain an education. A student employee is not eligible for benefits and is not covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.
- **Non-Classified Employee-** an employee who is responsible for policy formation at the department or institutional level, is in a critical retention position, or reports directly to the president of the institution. Non-classified employees are not subject to the classification program but are eligible for benefits if at least .53 FTE. Non-classified employees shall not exceed ten percent (10%) of the total number of employees at the institution who are eligible for membership in any state retirement system, or exceed 10 percent (10%) in critical retention positions. Non-classified employees are “will and pleasure.”

## Overtime

Classified employees are either in exempt or non-exempt positions as determined by the Federal Fair Labor Standards Act criteria.

- **Non-Exempt Employees-** are entitled to overtime compensation at the rate of one and one-half times the actual hourly rate for all hours worked in excess of 40 during the work week. Hours worked between 37.50 and 40 are compensated at the straight time hourly rate. Holidays, sick or annual leave hours, are not hours worked. The immediate supervisor must approve overtime for non-exempt employees before the overtime is worked. Employees will be paid for overtime unless a compensatory time agreement exists prior to the work being performed.
- **Exempt Employees-** do not receive overtime compensation. These employees meet the Fair Labor Standards Act criteria for executive, professional, or administrative positions.

Non-classified employees may be either exempt, or in some cases, non-exempt. This is based on an analysis of the position as compared to the Fair Labor Standards Act criteria.

Questions regarding overtime should be directed to the Office of Human Resources. Questions regarding how to calculate pay or hourly rates should be directed to the Office of Human Resources.

## Equalization of Overtime

Overtime rosters will be posted by supervisors for any overtime assignments which are anticipated more than one workday in advance. Employees shall be placed on the roster based on seniority. Overtime will be offered to the most qualified senior employee. The next occasion for overtime will be offered to the next qualified senior employee. This process will continue until the list is exhausted. If the employee whose turn it is to be offered overtime refuses the overtime work, it will be offered to the next person on the list. If all employees decline, then overtime is assigned to the most junior employee whose name appears on the roster and who is capable of doing the work.

## **Required Overtime**

Employees may be required to work overtime under certain circumstances. However, the work must be of reasonable duration. Also, employee health, safety, and endurance must be considered, and the direction to work must be issued under reasonable circumstances.

## **Compensatory and Holiday Premium Time Off**

Compensatory time off shall be allowed only to the extent authorized by federal and state law.

When a full-time or part-time classified non-exempt employee is required to work on any designated institution holiday, that employee at his/her option shall receive regular pay for that holiday plus substitute time off or additional pay at the rate of one and one-half (1 ½) times the number of hours actually worked. Employees will be paid for overtime unless a compensatory time agreement exists. The time off must be used within a six-month period following the holiday.

When an exempt employee is required to work on any designated board or institution holiday, that employee shall be given substitute time off on an hour-for-hour worked basis.

## **College Business Operational Hours**

The official business hours of BlueRidge CTC are 8:00 a.m. to 4:30 p.m. Monday through Friday. The business hours relate to the time period when College business and related offices are open to meet daily operational needs.

Each office must maintain College business hours; the Dean or director may implement flex time schedules and establish a core time which is generally regarded as the time when all employees must be at work; (e.g., 9:00 a.m. to 3:00 p.m.) Flex time and core time may also apply to shifts other than day shift.

## **Work Schedules (HEPC Series 8)**

The work week is defined as a regularly recurring period of one hundred sixty-eight hours in the form of seven consecutive twenty-four hour periods. Work begins at 12:01 a.m. on Sunday and ends at 12:00 a.m. midnight, the following Saturday. BlueRidge CTC's standard number of work hours for a full-time classified employee is 37.50 hours during the work week.

Employees are expected to be punctual and functioning in their positions consistent with their scheduled work hours. Based on operating need, supervisors have the authority to require employees to work more than their normal hours. Supervisors also have the authority to assign employees to work different shifts on a temporary or permanent basis. When practical, employees will be given 15 days advance notice of any significant schedule change. However, employees have the responsibility of reporting assigned by their supervisors, even if there has not been advance notice of a significant schedule change given to the employee. It is the policy of BlueRidge CTC not to make temporary, non-emergency changes in an employee's work schedule.

## **Flex Time**

An employee may request and work other than BlueRidge CTC business hours, to include flex time, four day work week, and job sharing, provided that he/she works the required number of hours in the respective work week with the approval of the immediate supervisor. The supervisor, with the approval of the President, may approve or deny a request for flexible work hours. Based on operational need, the supervisor has the authority to require, only in emergency, flex time. Flex time may be granted on a fixed schedule or short-term basis.

## **Breaks**

Employees may be granted rest periods not to exceed 15 minutes per day. Additional unauthorized time away from the work site must be credited against an appropriate leave accrual. Break periods shall be granted at the discretion of the supervisor. The purpose of such break periods is to provide relief from duties and absence from the workstation, offering employees the opportunity to attend to personal activities (i.e., to smoke, to make personal calls). Based upon operational need, an employee may be required to work through a break: in such cases, the employee is not entitled to additional compensation. Breaks are compensated work-release time and may not be used or accrued to make up work time, leave work early, extend lunch time, etc.

## **Transfer/Promotion Opportunities**

All transfer/promotion applications should be submitted to the Office of Human Resources. The employee must apply for a specific vacancy as advertised. It is the employee's obligation to provide information and complete an application for review in each decision. Questions regarding transfer/promotion process should be directed to the Office of Human Resources.

## **Reporting On-the-Job Injuries**

On-the-job injuries should be reported to one's supervisor as soon as possible after they occur. The employee must submit a written accident report form to the designated supervisor no later than 24 hours after the injury occurs. All accidents must be reported, regardless of whether they result in a Worker's Compensation claim.

Each employee's supervisor or designated party is responsible for having the appropriate form completed and submitted immediately to the Human Resources Office.

Special rules apply to leave caused by Worker's Compensation claims. For further information employees should contact the Office of Human Resources.

## **Procedures for Reporting Unscheduled Absences**

Notification of an unscheduled absence, prior to an employee's scheduled start time, is of the utmost importance. If, for any reason, an employee is unable to report to work as scheduled, the employee must notify their supervisor prior to their scheduled start time with the reason and expected duration of the absence. Failure to notify an immediate supervisor concerning an absence can result in discipline to the employee, including termination. It is the obligation of the employee to make certain that the immediate supervisor or designee is notified of an absence prior to the employee's scheduled start time.

## **Access to Personnel Files**

A confidential file containing pertinent employment information is maintained for each employee in the Office of Human Resources. The employee is entitled to inspect or copy his/her personnel file in the presence of a Human Resource staff member. The employee shall not be entitled to inspect or copy any letter of reference or other similar record that he/she has previously waived the right to inspect when the information was solicited by or supplied to BlueRidge CTC based on such waiver. The employee shall not be entitled to inspect or copy any other record exempt by WV Code 29B-1-4 unless there is clear and convincing evidence of a legitimate reason sufficient to overcome exception. If the employee wishes to examine his/her personnel file, they should notify the Office of Human Resources by phone or by filing a written appointment request at least 24 hours in advance of the desired appointment time. Personnel files may be examined only during normal College business hours.

The response of the Office of Human Resources to outside requests for employment verification is restricted to the release of the employee's name, employment dates, and job title.

## **Hiring of Relatives**

Employees of BlueRidge CTC are prohibited from participating in institutional decisions involving a direct benefit to members of their family. Such decisions include, but are not limited to, hiring, supervision, retention, promotion, salary, and leave of absence.

Consistent with college policy, employees may neither initiate nor participate in institutional personnel decisions involving a direct benefit to an immediate family member. Family member is defined by one of the following: relationships by blood (parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin); relationships by marriage (husband, wife, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, niece.)

## **WORKPLACE STANDARDS**

### **Employee Rights and Responsibilities**

Employees are required to provide a full day's work each day on the job; to behave in a civil, professional manner; to treat others with respect; to comply with state and federal laws and regulations related to individual rights, business operations and procedures, health and safety, conflict of interest, and to comply with HEPC and College regulations, rules, and policies and procedures. Employees are entitled to be treated with respect and dignity (by supervisors and other employees) and are entitled by statute and policy to file a grievance for work-related disputes free from retaliation. Contact the Office of Human Resources for questions and information.

### **Management Rights and Responsibilities**

Managers and supervisors should treat employees with respect and dignity. As managers or supervisors at BlueRidge CTC, they are responsible for compliance with College policies and procedures and to communicate and apply operational based directives. Managers and supervisors are also responsible for carrying out administrative directions and decisions.

Management/supervisory rights include such things as:

- Determining the work force direction and objectives;
- Determining the number and type of positions required, changed or consolidated;
- Establishing standards of performance and conduct;
- Determining the people to be hired;
- Conducting employee evaluations;
- Determining disciplinary action;
- Scheduling of the work force, including determination of the number of shifts to be worked, and the scheduling and amount of overtime to be worked;
- Determining when reductions in work force are required, including hour reductions, and layoffs: determining when recalls are required;
- Establish a safe work environment;
- Provide the materials and equipment to do the work required.

## **Solicitation**

Solicitation and selling of products and articles on College property, owned or leased, is prohibited except by organizations and groups directly affiliated with and recognized by BlueRidge CTC, and authorized by written approval of the President or designee. The names of BlueRidge CTC and the HEPC may not be used to secure funds for any purpose or through any means without the written permission of the President or designee.

Employees may not participate in the solicitation of funds by sales or donation, stated or implied, using the name of the institution or their title without the written permission of the College President or designee.

## **College Property**

BlueRidge CTC programs, personnel, time, titles, and property, including equipment, systems, vehicles, information supplies, and office space, are to be used in conducting authorized business of the College. Use of such for personal benefit or gain may be grounds for disciplinary action.

Private information protected under policy or law, such as certain financial, personnel, patient, donor, or student information, histories, and mailing lists, is to remain confidential. Such information may be disclosed, viewed, or copied only with proper authorization and must be disposed of in a manner that retains this confidentiality. Willful disclosure, viewing, or, copying of private information without authorization from one's supervisor may result in disciplinary action and/or legal prosecution.

Employees are responsible for securing the College building, office, room, equipment, and other keys assigned to them for work-related reasons. Costs incurred by the institution as the result of unauthorized or misuse of College property, such as but not limited to personal telephone calls, will be recovered from the responsible employee.

Personal calls must be avoided at all times except for emergencies. An employee may not use institutional phones for personal long-distance calls or telegrams, unless he/she is charging them to his/her home telephone number at the time of making the call or securing a personal access code whereby charges will be sent directly to his/her home.

## **Harassment Policies/Social Justice/ BOG Policies 4 and 18**

BRCTC does not tolerate harassment in the work place or of members of the college community. BRCTC wants to provide an environment free of any form of harassment. Harassment is defined as any form of conduct that would be offensive, intimidating, or threatening to the average person and is done on the basis of religion, gender, age, blindness, sexual preference/orientation, handicap, or familial status of the recipient, or on account of the recipient's relationship with person(s) of protected class status. Harassment may be of a sexual, racial, or more general nature.

If an employee or student believes he/she has been harassed in violation of this policy, he/she should take the steps that are outlined in the Social Justice or Sexual Harassment Policy, as formed in the BRCTC EEO/AA Plan or BOG Policies 4 and 18. The EEO/AA Plan is available on the Human Resources web page, and in the Office of Human Resources. The harassment policies outline informal resolution steps and formal resolution steps. Individuals such as the Director of Human Resources, and the Ombudsman are available to provide assistance.

## **Action to be Taken Against Perpetrators**

Any supervisor, agent or other employee who is found, after appropriate investigation, to have engaged in the harassment of another employee or student will be subject to appropriate sanctions depending on the circumstances, up to and including termination.

## **BlueRidge CTC Drug-Free Workplace Policy and Procedures**

All employees of BlueRidge CTC, including faculty, classified and non-classified staff, administrators, and student employees, must comply with the Drug-Free Workplace Act of 1988 (Public Law 100-690 Title V, Subtitle D, 41 U.S.C. 701 et. seq.) and The Safe and Drug Free Schools and Communities act of 1989.

### **Prohibitions**

1. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace.
2. Reporting for work under the influence of a controlled substance or alcohol is prohibited.

### **Notice to Employees**

As a condition of College employment, every employee shall abide by the terms of this policy and notify their supervisor and the Office of Human Resources of any conviction of drug or alcohol related charges resulting from any activity occurring in the workplace or otherwise on College premises no later than five days after such conviction.

### **Sanctions**

Any employee found in violation of this provision shall be subject to disciplinary action, including dismissal, and may be required to participate in a drug abuse assistance or drug rehabilitation program.

### **Smoking Policy**

Smoking of tobacco, except in designated areas, is prohibited in all buildings and facilities of BlueRidge CTC. This policy applies to all locations of BlueRidge CTC, including each off-campus location that is under the control of BlueRidge CTC. Smoking is also prohibited in any motor vehicle owned, leased, or otherwise operated by BlueRidge CTC. Smoking within 15 feet of building entrances is prohibited as designated by signage. Cigarette ashes and cigarette remains should be placed only in designated receptacles. Tobacco products, such as snuff and similar substances, are prohibited in all buildings.

### **Hazardous Materials**

A Material Safety Data Sheet is to be maintained in the workplace for any hazardous material present. Employees are encouraged to review those safety sheets. Employees who are concerned about materials which they believe may be hazardous, but which have not been identified as such, should consult with the supervisor before handling the material. If the concern is not satisfied, the employee may contact the Safety Coordinator.

# **PAYROLL**

## **Paychecks**

Employees are paid twice a month. Payroll forms are completed in the office of your director for processing. The College is required by law to make deductions from paychecks for federal and state income taxes, Social Security, and retirement if full-time. If a month has thirty calendar days, payday will be on the 15<sup>th</sup> and the 30<sup>th</sup> of the month. If a month has thirty-one days, payday will be on the 16<sup>th</sup> and the 31<sup>st</sup>. When a payday falls on a weekend paychecks will normally be issued the preceding Friday. The employee should immediately notify his/her supervisor if they believe there is a problem with their paycheck. New employees will have one (1) pay check held in arrears.

## **Direct Deposit of Paychecks**

Direct Deposit is available to all benefits-eligible employees. Applications can be obtained in the Office of Human Resources.

## **Non-Exempt Salaried Employees**

Non-exempt salaried employees must submit to the Human Resources Office a monthly signed time sheet verifying hours worked. This time sheet is co-signed by the supervisor.

# **BENEFITS**

## **BlueRidge CTC Employee Benefit Plan**

BlueRidge CTC provides benefits-eligible employees an opportunity to participate in a comprehensive package of benefits, including health, life, disability, retirement, dental, vision, and medical spending account. Employees will learn more about each of these plans at the new employee benefits session. All plans, programs, benefits, services, and other provisions are subject to review and change. Contact the Office of Human Resources for benefit questions/information.

## **Health Insurance Programs**

West Virginia Public Employees Insurance Agency (PEIA) offers hospital, surgical, major medical, prescription, and other medical care coverage. The plan also includes \$10,000 term life insurance for the employee. New employees have until the end of the month from the starting date of their benefits-eligible position to enroll for coverage with an effective date the first day of the following month. New enrollees may be subject to preexisting condition limitations. Premiums for the health and life plans are pre-taxed (no federal or WV state tax or social security are deducted from the premiums) under Section 125 of the IRS Code. Guidelines allow existing employees to enroll or change coverage during the open enrollment period in the spring of each year. If family status change occurs, employees should contact the Office of Human Resources; otherwise employees may make changes only during open enrollment of each year.

Employees pay a portion of the premium cost for all insurance plans. Annually, employees may choose to enroll in PEIA's indemnity plan or in one of several HMO plans.

All hospital admissions must be pre-certified by the employee or his/her doctor. A separate deductible must be met for prescription drugs, which are paid at various rates depending on the prescription.

## **Retirement Programs**

Participation by benefits-eligible employees in a tax-sheltered retirement program is required by West Virginia State law. Employees must contribute six percent of their gross pay to the Teachers Insurance and Annuity Association/College Retirement Equities Fund (TIAA/CREF) Retirement Program or to Great West Life Insurance Co. (educator \$ money). BlueRidge CTC matches the employee's contribution with six percent. Employees may choose to place all or part of the retirement contributions in either TIAA, which invests in bonds, mortgages, and loans to business and industry; or CREF funds. Vesting is immediate and retirement may begin at any age upon termination of employment. Retirement income is based on age at retirement, amount of dollars accumulated, and the income option chosen, i.e. single life or joint life.

## **403B Supplemental Retirement Plans & 457B Deferred Compensation**

In addition to the basic retirement plan, employees have the option of tax sheltering additional money through a 403B supplemental retirement account or 457B Deferred Compensation Plan. SRAs and 457Bs are available through TIAA-CREF, and educator \$ money.

## **Mountaineer Flexible Benefit Plan**

Various benefit plans are available on a pre-tax basis with enrollment occurring in late spring of each year. Contact the Office of Human Resources for details.

## **Workers Compensation**

Employees of BRCTC are covered against job-related injuries by the Brick Street Insurance Company which administers Workers Compensation in WV to which BRCTC pay premiums for all employees.

If an employee is injured on the job, he/she must report the injury to his/her supervisor within twenty-four (24) hours. All accidents must be reported on a BRCTC Accident Report Form. The employee should secure a BI-1 Form from the medical provider and should be submitted to Brick Street Insurance Company. The time limit for filing a WC Claim for job related injury/illness has been reduced from two (2) years to six (6) months effective February 10, 1995.

Occupational Safety and Health Administration (OSHA) regulations require that each department report any occupational injury or illness by submitting an incident report to the Office of Human resources within three days. This information is then entered into the College's log of occupational injuries and illnesses.

On-the-job injuries or occupational illnesses that involve no more than three days of disability leave or absence from work will not be charged against the employee's accumulated sick leave. If on-the-job injuries or illnesses require a medical leave beyond the three-day period, the employee must use either of the following options:

1. Receive earned and accumulated sick leave benefits until exhausted and forfeit any benefits determined to be due under the West Virginia Workers Compensation Laws  
or
2. Request leave of absence without pay, reserving for future use any earned and accumulated sick and annual leave, and receives only Workers Compensation benefits for which he/she is determined eligible.

## **Life Insurance Program Under PEIA**

The basic health plan under PEIA includes \$10,000 term life insurance with an accidental death and dismemberment benefit. Employees not needing coverage under the health plan may elect life insurance only.

Additional optional life insurance may be purchased by the employee for a monthly premium based on age and the principal sum selection—up to \$500,000.00. Dependent life insurance may also be purchased. Enrollments under both options are subject to a statement of health if enrolling more than two months after the initial month of employment.

## **The Standard Insurance Company Disability Insurance**

The Standard Insurance Disability Policy is a long-term disability plan providing a non-taxable monthly income to age 65 in the event of total disability. The income benefit is based upon the employee's base salary and begins after six months of total disability. The monthly income benefit, which includes any income payable from employee sick leave, Social Security, Workers Compensation, and any disability benefit payable under any insurance or retirement plan sponsored by BlueRidge CTC, is equal to 60 percent (60%) of the monthly salary to a maximum of \$10,000.

The minimum monthly benefit under this plan is \$100. The employee's first month of full-time employment is his/her eligibility period. The premium is based on the base salary and age of the employee and is paid by the employee.

Employees enrolling for the disability income benefit are also included under the "Annuity Benefit" provision of the plan. The annuity benefit provides for the monthly payment of 12 percent of the employee's salary into the employee's retirement plan.

## **Employee Assistance Program**

BlueRidge CTC offers an Employee Assistance Program (EAP) through the Shenandoah Valley Behavioral Health Services in Martinsburg. The EAP provides a wide range of counseling services in a confidential setting. The College pays for the initial two (2) visits with the employee responsible for the costs of any subsequent visit. These costs may be covered by medical insurance. Contact HR or SVBHS directly at 304-263-7023.

## **Social Security**

All employees must contribute to Social Security. The employee's contributions are matched by the College.

## **Unemployment Compensation**

Wages at BlueRidge CTC are reported quarterly to the West Virginia Department of Employment Security. For more information about this program, contact the local Job Service Office/Office of Employment Security.

## **Identification Cards**

An identification card is issued to each full and part-time regular employee by the Berkeley County. Within the College an employee may be required to present their identification card when a reduced rate option on events is offered, or when accessing College owned facilities and services. Upon resignation or retirement from the College, the employee must return their card to their supervisor before their final paycheck can be released. For information contact the Office of Human Resources.

## Misuse of Computing and Telecommunications Resources

Resources include, but are not limited to:

- West Virginia Network for Educational Tele-computing (WVNET).
- BlueRidge CTC Computing Services Systems, including hardware equipment, data, and programs;
- BlueRidge CTC Telecommunications and Telephone Systems;
- College-owned microcomputers and printers;
- College-owned software.

Computer or communications equipment, data, or programs owned, leased, or otherwise provided by BlueRidge CTC or the HEPC Central Office are for authorized administrative and academic purposes. The following is specifically prohibited:

1. Disruption or interference with the normal use of computers or communications related equipment, data, or programs of individuals, WVNET, or the College;
2. Unethical, unauthorized, illegal or other improper use of this equipment, data, or programs;
3. Attempts to breach security in any manner;
4. Use of a computer account or network access for other than the purpose for which assigned; and
5. Unauthorized copying or unauthorized use of computer software.

Telephones are only for college related business. Personal calls should be made from pay phones, billed to one's home number, or to one's personal calling card.

## LEAVE (SEE BOG POLICY 10)

### Annual Leave

All full-time regular employees in classified positions shall be eligible for annual leave with pay on the following basis:

- |                                  |                             |
|----------------------------------|-----------------------------|
| • Less than 5 years service..... | 1.25 days accrual per month |
| • 5-10 years service.....        | 1.50 days accrual per month |
| • 10-15 years service.....       | 1.75 days accrual per month |
| • 15 or more years service.....  | 2.00 days accrual per month |
| • Non-classified employees.....  | 2.00 days accrual per month |

Note: Full-time regular employees working between 1,040 hours and 1,950 hours over at least nine months of a twelve-month period shall accumulate annual leave on a prorated basis.

No person who is earning a higher accumulation than is authorized under this policy shall have his/her accumulated leave reduced to comply with this policy. However, upon leaving the position, the proper accumulation rate shall apply to the employee who fills this vacant position.

Annual leave shall not be granted to casual, temporary, or part-time employees.

### **Accumulation Limits**

Accumulated leave for continuing employees may not exceed twice the amount earned in any twelve-month period.

An employee is entitled to compensation for accumulated annual leave at termination of service, but in no case may exceed twice that amount earned in any twelve-month period.

### **Calculation Based on Years of Service to the State of West Virginia**

Annual leave accrual rate shall be based on years of service to the recognized agencies of the State of West Virginia.

### **Crediting Years of Service**

An annual appointment period of nine months or more shall be credited for one year of service for annual accrual rate determination.

### **Scheduling and Use of Annual Leave**

Annual leave must be approved in advance by the supervisor. Annual leave shall be arranged to fit operating schedules; however, consideration shall be given to an employee's request. Seniority may be considered by the supervisor when arranging vacation schedules. An employee may not take leave before it is earned.

### **Illness During Annual Leave**

Illness which occurs during scheduled annual leave is counted as annual leave.

### **Transfer of Annual Leave**

Up to 15 days annual leave may be transferred with an employee from other agencies of the West Virginia State Government to BlueRidge CTC. Certification of the balance which existed with the previous employing agency must accompany the request for transfer of annual leave by the employee; the request must be made within one year from the last date of employment with the other agency.

### **Unused Annual Leave Credits**

In the event of an employee's death, accumulated annual leave will be credited to the employee's estate.

### **Lump Sum Payment Option for Unused Annual Leave**

Upon termination of active employment through resignation, retirement, or otherwise, an employee may opt to be paid a lump sum amount of accrued and unused annual leave entitlement shall exclude weekends, holidays or other periods of normal, non-countable time.

### **Sick Leave**

Sick leave may be used by an employee who is ill, injured or when a member of the immediate family is seriously ill as defined by the treating physician or when a death occurs in the immediate family. For the purpose of administering this leave policy, the immediate family is defined as: father, mother, son, daughter, brother, sister, husband or wife, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, stepchildren, or others considered to be members of the household and living under the same roof. Sick leave may also be used for employee medical appointments which are approved in advance by the supervisor.

### **Accumulation of Sick Leave**

Accumulation of sick leave is unlimited. Full-time regular employees (both classified and non-classified) accrue 1.5 days of sick leave per month of active employment. Employees working between 1,040 hours and 1,950 hours over at least nine months of a twelve-month period shall accumulate sick leave on a prorated basis.

### **Transfer of Sick Leave**

Accumulated sick leave may be transferred with an employee from other agencies of West Virginia State Government to BlueRidge CTC. Certification of the employee's sick leave balance which existed at the state agency must accompany the request for transfer and bear the signature of an officer of that agency. A request for transfer must be made within one year from the last day of employment with the other state agency.

### **Reinstatement of Sick Leave Upon Reemployment**

When an employee terminates employment for reasons other than retirement, all sick leave credited to that employee shall be considered ended as of the last working day with the institution, and no reimbursement shall be provided for unused sick leave. If an employee resigns in good standing and is later reemployed, he/she may have his/her accumulated sick leave reinstated if the date of termination is less than three years from reemployment. However, if the employee returns to work after more than one year from the date of termination, no more than 30 day of sick leave may be reinstated.

### **Sick Leave Conversion Upon Retirement**

Upon meeting certain requirements, individuals retiring from Shepherd College may be eligible to apply unused sick leave as a credit toward the premium for the West Virginia Public Employees Insurance Plan. This option is not available to employees hired after July 1, 2001. Call the Office of Human Resources for additional information.

### **Medical Leave Verification**

Medical leave verification/assessment is a signed statement from the treating health care provider to validate the illness or other cause for which sick leave or medical leave of absence may be granted. The health care provider signing the medical assessment must be current and appropriately licensed. The document must provide information regarding the individual's medical condition, diagnosis, prognosis, functional limitations, including duration and treatment plan, if any.

Based upon the medical assessment, employability and/or accommodation determinations will be made by BlueRidge CTC.

Medical leave verification/assessment is required:

- To validate a sick leave absence of more than five consecutive days under the terms of the sick leave policy;
- To return to work following a sick leave absence of more than five consecutive days, or a medical leave of absence;
- If requested of the employee by the supervisor following a sick leave absence, regardless of duration, as a condition of returning to work;
- To apply for and sustain catastrophic leave eligibility;
- To apply for and sustain a medical leave of absence; and/or
- To assure continued access to benefit coverage while on medical leave of absence.

It is the employee's responsibility to pursue and obtain the necessary medical assessment from the treating health care provider, and present the completed evaluation to the College in a timely manner. Provision of incomplete, unacceptable, or untimely medical information may result in:

- Prohibition to charge time absent from work to accrued sick leave;
- Prohibition to return to work if one's capacity to perform essential duties is in question;
- Ineligibility for catastrophic leave;
- Disallowed or discontinued medical leave of absence;
- Discontinuation of benefit access; and/or
- Disciplinary action, up to and including termination of one's employment with BlueRidge CTC.

### **Pregnancy-Related Illness or Disabilities**

Disabilities which may be caused by pregnancy shall be treated the same as any other off-the-job illness or disability would be treated for sick leave entitlement. Pregnancy-related illness shall include pregnancy, miscarriage, abortion, childbirth and recovery. In determining if an employee is unable to work because of a pregnancy related illness, the same criteria shall be used as for any other disability. The College policy on normal births is to allow six (6) weeks of sick leave. If available, to be used.

### **Higher Education Employees Catastrophic Leave Program**

(WV Code, Section 18B-9-10, effective June 5, 1992)

A classified employee experiencing a catastrophic illness or injury as defined by the West Virginia Code and BlueRidge CTC policy may request approval to receive paid leave time donated by other employees. Within established limits, employees may voluntarily donate accumulated sick or annual leave directly to an approved recipient. For information, contact the Office of Human Resources.

### **Funeral Leave**

When a death occurs in the immediate family, a reasonable amount of time may be charged to accrued sick leave as required for the employee to arrange for and attend the funeral and related services, including travel time. For the purpose of administering this leave policy, the immediate family is defined as: parent, child, grandparent, grandchild, brother, sister, husband, wife, step-parent, step-child, brother-in-law, sister-in-law, or others considered to be members of the household and living under the same roof. "Reasonable" amount of time is determined at the discretion of the supervisor, and is based upon geographic distance, work load and similar factors. Sick leave is not provided for an extended bereavement period or to attend to the affairs of the estate; annual leave may be requested for these purposes.

### **Red Cross Leave**

An employee that is a certified disaster service volunteer of the American Red Cross may be granted, with the supervisors approval, leave with pay for up to 15 work days per year to participate in relief services for the Red Cross.

### **Grievance, Witness, and Jury Leave**

Employees who are subpoenaed or directed to serve as jurors, or appear as witnesses for review proceedings of the Federal Government, the State of West Virginia, or a political subdivision thereof, shall be entitled to work release time for such duty and for such period of required absence which overlaps regularly scheduled work time. Employees are entitled to leave with pay for the required period of absence during the regularly scheduled work time including reasonable travel time.

When attendance in court is in connection with usual official duties, under subpoena, or as directed by the Supervisor, time required, including reasonable travel time, shall not be considered as absence from duty. Likewise, time spent by BlueRidge CTC employees as hearing officers, hearing committee members, and parties or witnesses in a grievance hearing is considered legitimate work time if it occurs during their normally scheduled work hours, and is part of a service to BlueRidge CTC. Appearing as a witness, without a subpoena, at the request of a fellow employee, and without the request of the Supervisor, does not constitute college business.

An employee who is scheduled to work prior to the court or hearing start time shall initially report to work, travel time permitting. An employee who is excused from court/hearing prior to the end of the scheduled workday shall immediately report to work for the remainder of the workday.

This policy does not apply to employees who are called to testify as expert or consulting witnesses and who are paid for their witness services. Further, this policy does not apply to employees involved as parties to a personal lawsuit.

## **Military Leave**

Members of the National Guard or any reserve component of the armed forces of the United States are entitled to and will receive a leave of absence without loss of pay, status, or efficiency rating, for all days engaged in field training or service for a maximum period of thirty working days in any one calendar year, ordered or authorized under provision of state law. The term “without loss of pay” shall mean that the employee shall continue to receive normal salary or compensation, notwithstanding the fact that such employee may receive other compensation from Federal sources during the same period. Furthermore, such leave of absence shall be considered as time worked in computing seniority, eligibility for salary increase, and experience with the institution. An employee shall be required to submit an order or statement in writing in advance from the appropriate military officer in support of the request for such military leave.

The terms of this policy shall apply for thirty (30) working days following an order into active duty under the provisions of any Selective Training and Service Act, or other such Act whereby the President of the United States may require the services of the National Guard and the reserve components of the armed forces of the government.

## **Declared Emergency**

At the discretion of the President of BlueRidge CTC, or designee, in consultation with local or state public safety officials, College operations may be shut down in total or in part because of any circumstance which threatens the health or safety of employees and/or students, such as inclement weather and facility shutdowns. The President will later declare when emergency conditions no longer exist.

Full-time regular employees are eligible for regular pay for work time lost because of a declared emergency. Work time lost will be considered regular work time for pay purposes and will not require time charged to accrued leave nor will there be a requirement that the time be made up.

When operational needs require a non-exempt, employee to work during a College declared emergency period in addition to their regular pay, the employee will receive compensation in either Compensatory Time Off (CTO) or pay at the rate of time and one-half for the actual hours worked during the College-declared emergency period. Exempt employees that work during a declared emergency period receive CTO on an hour-for-hour basis.

## **Absence Due to Inclement Weather**

Absences from work due to weather conditions other than during a declared emergency must be charged against accumulated annual leave, or the employee must be removed from the payroll in question. Sick leave may not be charged for absence due to weather. Time lost from work may be made up in the same workweek at the discretion of the employee's supervisor.

## **Emergency Leave**

Emergency leave of up to five days within any fiscal year, with pay, may be granted by the President of BlueRidge CTC in the event of extreme misfortune to the employee or his/her immediate family, provided that all accrued annual leave has been exhausted.

Typical events which may qualify an employee for such leave include fire, flood, or other occurrences (other than personal illness or injury, or serious illness or death in the immediate family) of a nature requiring emergency attention by the employee.

## **Leave of Absence Without Pay**

A full-time regular employee, upon application in writing and with written approval by the College President, may be granted a continuous leave of absence without pay for a period of time not to exceed one year.

Leaves of absence without pay may be granted for medical reasons, personal need, or in compliance with the Parental or Family Leave Acts. For additional information refer to the BOG Policy 10.

The President, at his or her discretion, may require the written approval of the supervisor before accepting the written application of an employee for a leave of absence without pay and shall determine if the purpose for which such leave is requested is proper and within sound administrative policy.

For a parental/family leave of absence, all annual leave must be taken before the leave is approved. Parental/family leave of absence provides a maximum of twelve weeks leave without pay during any twelve-month period.

At the expiration of a leave of absence without pay, the employee shall be reinstated without loss of any rights, to the vacant position or a comparable position. During a leave of absence without pay, BlueRidge CTC will honor an employee's rights under WV Code Section 18B-7-1. Failure of the employee to report promptly at the expiration of an approved leave of absence without pay, except for satisfactory reasons submitted in advance, shall be cause for termination of employment by the institution.

## **Family and Medical Leave Act 1993 (BOG Policy 10)**

The FMLA allows a classified employee to request up to twelve (12) weeks, per year, of unpaid leave. The request should be made to the Office of Human Resources. All sick leave does not have to be exhausted to request coverage under the FMLA. Reasons for taking leave:

1. To care for the employee's child after birth, or placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, son, daughter, or parent, who has a serious health condition; or
3. For a serious health condition that makes the employee unable to perform the employee's job.

Medical coverage may continue during this leave period with the employee paying full costs.

## **HOLIDAYS (BOG Policy 8)**

Holidays are intended to grant full-time regular employees the benefit of one workday of paid time off. Persons employed at less than 1.00 FTE receive time off on a prorated basis.

There are thirteen (13) paid holidays each fiscal year, including statewide primary and general election days, plus two additional half-holidays when Christmas and New Year's Day fall on Tuesday through Friday.

Holidays shall include: Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, and Dr. Martin Luther King's Birthday. The remaining holidays are designated at the discretion of the president each year. The holiday schedule for a new fiscal year is generally approved in May or June.

Half-holidays shall be counted as half-days in computing the total number of holidays.

Proclamations of a legal holiday by the President of the United States, governor, or any other authority are generally recognized at BlueRidge CTC.

If a recognized holiday occurs on a Saturday, the College may observe it officially on the preceding Friday. If a recognized holiday occurs on a Sunday, the College may observe it officially on the following Monday.

When operational needs require a full-time or part-time non-exempt classified employee to work in any of the observed College holidays, in addition to their regular pay, the employee will receive compensation in either Compensatory Time Off (CTO) or pay at the rate of time and one-half for actual hours worked on the holiday. The CTO must be used within six months following the holiday. Employees will be paid for overtime unless a compensatory time agreement exists.

When operational needs require an exempt employee to work on any of the observed College holidays, the employee will receive substitute time off on an hour-for-hour worked basis.

If an observed holiday occurs on an employee's scheduled day off, an extra day off in lieu of the holiday shall be granted.

When an observed holiday occurs during an employee's scheduled annual leave, the day will not be charged to annual leave. Any specific adjustment regarding a day of observation will be announced by the President's office or designated authority.

In accordance with the law, the College will consider granting reasonable time off to employees who may observe religious holidays not included on the list of College observed holidays, as long as this causes no undue operational problems and hardships within the department. Such time off requires prior supervisory approval and will be charged to accrued annual leave or compensatory time off.

## **EMPLOYEE EDUCATION**

The College encourages career development and self-improvement. If eligible, classified employees may be allowed time-off during work hours to attend up to one (1) three credit hour class, provided the absence will not interfere with the unit's operation and is approved by the organizational unit administrator. The time for this one (1) three credit hour class does not need to be made up.

Only full-time regular employees are eligible for time-off or adjusted teaching schedules to attend classes. This applies to those pursuing both undergraduate and/or graduate level studies. An employee must have completed at least six calendar months prior to the beginning of the semester in which he/she seeks admission in order to be granted educational release time. Classified employees must have completed the probationary period.

Coursework may be taken on a tuition waiver basis at the BRCTC College or any other West Virginia higher education institution. The Registrar coordinates information about and processing of tuition waivers.

Before the semester in which classes are to be taken, the employee is required to provide her/his supervisor a written request for release time. The supervisor will then approve or disapprove the release and provide the employee with a written statement of the decision. Copies of this agreement must be endorsed by the major administrator and filed in the employee's personnel file.

The time away from work will be made up during the same week. An adjusted schedule may also be approved for the semester. For classified employees, 37.5 hours must be worked each week. During emergencies or overtime situations, the employee must work as assigned by the supervisor even if release time had been previously granted.

### **Employee Education Policy (Staff Development)**

Employees are encouraged to utilize College educational opportunities for career development and self-improvement. An employee, at the discretion of his/her immediate supervisor, based on operational need, may receive time off during scheduled work hours for the purpose of attending class. Work release time is subject to the prior approval of the employee's Dean or director. Occasional in-service training may be required.

Employees may have the total cost or a portion of the cost of classes, workshops, seminars, etc. paid by Staff Development money. Contact the Office of Human Resources for a detailed copy of the College Employee Education policy to apply for Staff Development funds.

## **ADDITIONAL PROGRAMS AND PRIVILEGES**

### **Library Privileges**

Employees may use library facilities, collections, and information services. Contact the Scarborough Library, at Shepherd University.

### **College Bookstore**

The bookstore offers a complete line of trade books, textbooks, school supplies, office supplies, clothing, imprinted items, and miscellaneous items.

# EMPLOYEE ORGANIZATIONS

## **Classified Employee Council**

The Classified Employee Council is an advisory council to the President of the College and a means for all classified employees to express their opinions about job conditions, fringe benefits, employee-employer relations, or other areas that affect their jobs.

The Classified Employee Council is composed of elected members from the six major occupational categories, as well as members which include the staff representative to the BlueRidge CTC Board of Governors, and the staff representative to the Advisory Council of Classified Employees.

## **Staff Development Committee**

The Classified Employee Council has created a Staff Development Committee (SDC) to oversee the money provided to classified staff for training and development. There are four classified employees and the Director of Human Resources on the SDC. Requests for staff development funds should go to the chair of the SDC or the Director of Human Resources. The SDC, Classified Employee Council, or the Office of Human Resources can provide information regarding staff development.

# CLASSIFICATION AND COMPENSATION

## **Position Classification**

The Office of Human Resources is responsible for the assignment of all BlueRidge CTC classified positions to appropriate job titles and pay grades within the Higher Education Classification System. This system requires that the work performed by employees in classified positions be documented on official position description form. The position description form must be updated by the appropriate supervisor, signed by the appropriate administrators and submitted to the Office of Human Resources when posting a vacant position or submitting a position for classification review. If significant changes occur in the essential duties or responsibilities of a classified position, it is the responsibility of the supervisor, through established College procedures, to submit the position to the Office of Human Resources for review.

Questions regarding position descriptions, position reviews or job evaluations should be directed to the Office of Human Resources.

# DISCIPLINARY ACTION

The purpose of disciplinary action is to correct, not to punish, work-related behavior. Each employee must maintain standards of performance and conduct as outlined by the immediate supervisor and institutional policy and to comply with applicable policies and procedures and laws. When an employee does not maintain the appropriate standards of performance or conduct, disciplinary action, including but not limited to, demotion, suspension, transfer, or dismissal may be taken.

The supervisor will give the employee notice of the unacceptable performance, an explanation of the supervisor's concerns, and an opportunity for the employee to provide an explanation for the behavior in question, before any form of disciplinary action occurs. Notice and an opportunity to explain will always precede major disciplinary actions.

Dependent upon the actual and potential consequences of the offense, employee misconduct may be considered minor misconduct or gross misconduct. Minor misconduct is that which is generally deemed by the supervisor as correctable by counseling and/or instruction through progressive discipline. Progressive discipline requires notice of concern and expectations to the employee through formal counseling and letter(s) or warning, with potential suspension, demotion, transfer, and termination. Gross misconduct is of substantial actual and/or potential consequence to operations or persons, typically involving flagrant or willful violation of policy, law, or standards or performance or conduct. Gross misconduct may result in any level of discipline up to and including immediate at the President's discretion.

Campus Police Officers are exceptions to the disciplinary policy because they are "at will employees."

Additional information regarding disciplinary action may be obtained by contacting the Office of Human Resources.

## **GRIEVANCE PROCEDURE**

### **Statutory Grievance Process**

Classified employees may pursue resolution of work-related disputes through administrative appeal procedures, as applicable to the circumstances of the person and the event, act, or behavior challenged. The procedure, eligibility criteria, and the initiation time line is referenced below. Any classified employee may initiate a grievance pursuant to WV Code 29-6A-1 for resolution of work-related disputes excepting pension or insurance matters. The statutory process requires initiation of the grievance within fifteen work days of the occurrence or action giving rise to the grievance. Details and forms are available

<http://www.state.wv.us/admin/grievanc/grievanc.htm>

### Level One

Grievances must be filed within 15 days of the grievable event. Send a copy to the Chief Administrator and the Public Employees Grievance Board, 808 Greenbrier Street, Charleston, West Virginia 25311. State employees must also send a copy to the Director of the Division of Personnel, Building 6, Room 416, State Capitol Complex, Charleston, West Virginia 25305. A hearing will be recorded; a conference will not be recorded.

### Level Two

Grievant may appeal a Level One decision within 10 days of receiving an adverse written decision. Send a copy to the Chief Administrator and the Public Employees Grievance Board, 808 Greenbrier Street, Charleston, West Virginia 25311. State employees must also send a copy to the Director of the division of Personnel, Building 6, Room 416, State Capitol Complex, Charleston, West Virginia 25305. The grievant may choose mediation by a Board administrative law judge; private mediation; or private arbitration. Grievant must select one of the three options. Mediation by a Board administrative law judge is free. If private mediation or private arbitration is selected, a Mediation Agreement Form must be filed with the Grievance Form.

### Level Three

Grievant may file a written appeal with 10 days of receiving a written report stating that the Level Two mediation was unsuccessful. Send a copy to the Chief Administrator and the Public Employees Grievance Board, 808 Greenbrier Street, Charleston, West Virginia 25311. State employees must also send a copy to the Director of the Division of Personnel, Building 6, Room 416, State Capitol Complex, Charleston, West Virginia 25305.

## **PERFORMANCE APPRAISAL**

Employees will have their job performance evaluated during the probationary period, after 90 days and six months, and at least once annually thereafter. A performance appraisal will be between the employee and the employee's supervisor. The appraisal interview with the employee will be accomplished for the purpose of clarifying job understanding and expectations, improved performance, improved communications, performance counseling, goal setting and development. Annual performance appraisals will be done institution wide prior to

June 30<sup>th</sup>. The performance appraisal results will be used as a factor to be considered in employee transfer, promotion, retention, and demotion determinations.

The Office of Human Resources has performance appraisals for classified employees, which are available for use by supervisors.

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## **TERMINATIONS**

### **Voluntary Termination**

When an employee is planning to resign from his/her position he/she is expected to give his/her supervisor a minimum of two (2) weeks advance notice in writing. In order for an employee to leave with a record in good standing with the College he/she must: (1) provide advance notice of his/her resignation, (2) return all College property such as keys, equipment, IDs, uniforms, documents, etc., and (3) settle any monetary or other obligations with the College. An employee is expected to work throughout the two-week notice, unless waived by the immediate supervisor.

### **Dismissal For Cause**

When it is determined by the supervisor that an employee is not meeting performance or conduct standards or fails to comply with legal or policy requirement, termination for cause may occur consistent with the disciplinary procedures.

### **Automatic Termination**

Absence from work for three consecutive workdays without proper notice, explanation and/or authorization shall be deemed gross misconduct and neglect of duty, and the employee's College employment will be terminated.

### **Separation from College Employment for Medical Reasons**

Whenever it is medically, psychologically, or psychiatrically determine that an employee can no longer perform the essential duties of the position and reasonable accommodation cannot be made, the employee will be separated from the College for medical reasons. The employee should investigate what benefit entitlement is applicable.

Existing laws and policies will guide the College in protecting the employment and retention rights of employees who are considered otherwise qualified individuals with a disability within the meaning of such laws.

### **Reduction in Force**

In the event a full-time regular classified position is eliminated because of lack of funds or work, the College will comply with the requirements of WV Code 18B-7-1.

The elimination of any full-time regular classified position requires the prior written approval of the President.

Consultation with the BlueRidge CTC Office of Human Resources for proper layoff management is required prior to notification of layoff to any full-time regular classified employee.

### **Terminating Employee Health Insurance Privileges**

On April 7, 1987, federal law adopted the Consolidated Omnibus Budget Act (COBRA). COBRA mandates employers to offer continuation of group health insurance to certain employees who lose coverage.

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In the case of employee terminations, the law requires the employer to notify the plan administrator with 30 days after the employee's termination of employment. PEIA will notify terminating employees of his/her COBRA rights, not BRCTC.

Each department is required to complete a PEIA health insurance termination form for every PEIA participant who leave BlueRidge CTC or becomes ineligible for benefits.

Any employee on a nine-month contract who terminates in May, June, or July regardless if benefits are escrowed, will be covered by insurance only to the end of the month in which regular wages are received.

### **Where To Obtain Information**

*Copies of policies, rules, and laws cited in this handbook are available in the Office of Human Resources.*

