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# INTRODUCTION

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This handbook summarizes the Human Resource policies and procedures for the employees of Galveston College. The Board provides policy direction for the College and may make any revisions or additions to any policy during the year it deems appropriate. The President may make revisions to the administrative procedures during the years as appropriate. Changes in policy or procedure will be posted on the GC web site, and incorporated into the handbook annually.

This handbook is intended to be an overview of established human resource policies and procedures of Galveston College. The policies and procedures in this handbook are not all inclusive of the policies and procedures of Galveston College and are subject to change. If anything contained within this handbook conflicts, or appears to conflict with government statutes or legislative acts - government statutes or acts will control.

To ensure policy interpretations are consistent, the Director of Human Resources or designee is responsible for interpreting policy application and intent. The interpretations of the Director of Human Resources shall be applicable to all pertinent situations. All references to “Human Resources Director” shall include that person’s designee.

## VISION

***“GALVESTON COLLEGE – opening doors changing lives.”***

## MISSION

***“GALVESTON COLLEGE, an innovative public post-secondary institution dedicated to student success, teaching and learning, creates accessible learning opportunities to fulfill individual and community needs by providing high quality educational programs and services.”***

## PURPOSES

### **In accordance with Texas Education Code, Section 130.003, the college shall provide:**

- Technical programs up to two years in length leading to associate degrees or certificates;
- Occupational programs leading directly to employment in semiskilled and skilled occupations;
- Freshman and sophomore courses in arts and sciences;
- Continuing adult education programs for occupational or cultural upgrading;
- Compensatory education programs designed to fulfill the commitment of an admissions policy allowing the enrollment of disadvantaged students;
- A continuing program of counseling and guidance designed to assist students in achieving their individual educational goals;
- Workforce development programs designed to meet local and statewide needs;
- Adult literacy programs and other basic skills programs for adults; and
- Such other purposes as may be prescribed by the Texas Higher Education Coordinating Board or Galveston College Board of Regents, in the best interest of post-secondary education in Texas.

Galveston College exists to serve these purposes as they relate first to the local service areas, then to the State of Texas, and finally to the nation. Further, Galveston College accepts the challenge of providing the resources, curricula, instructional support, and personnel required to best serve the many educational needs of its students.

## GOALS

**Goal 1: Student Access and Enrollment** - Provide an open door to learning and extend accessible educational opportunities to students of all ages who are able to benefit from instruction

**Goal 2: Student Success** - Improve student success through high-quality, learning-centered programs and support services that reflect the highest expectations and academic standards.

**Goal 3: Employee Development** - Continue to provide for a qualified and diverse faculty and staff through fair hiring processes and continuous professional development, as well as a competitive salary and benefits program accompanied by a healthy and safe work environment.

**Goal 4: Institutional Resources** - Provide equipment, technology resources, facilities, and grounds that create a physical environment conducive to teaching and learning, as well as student success in the 21st Century.

## VALUES

The shared values listed below are among the beliefs which guide Galveston College in the development of its mission, goals, programs, and services:

- Access
- Academic Excellence and Student Success
- Integrity
- Respect
- Diversity and Inclusion
- Innovation
- Stewardship

## CHAPTER 1- GENERAL PROVISIONS

### 1.01 UPDATED: School Year 2021-2022

### 1.02 SCOPE

This Employee Handbook of Operating Procedures covers all Galveston College employees and all job applicants.

### 1.03 PUBLIC EMPLOYEES

All Galveston College employees are public employees and as such are subject to the Public Right to Know provision of the government code. Each employee and Board member shall choose whether to allow public access to College-held information relating to the employee's home address, telephone number, emergency contact information, social security number, or any other information that reveals whether the person has family members. DBA Legal

Employees and Board members shall state their choice to the College's HR Department in writing not later than the 14th day after employment begins, election or appointment to the Board occurs, or service with the College ends. If an employee or Board member fails to state his or her choice within 14 days, the information is available to the public. However, they may make a written request at any time to the personnel officer to open or close the information relating to the person's home address, telephone number, emergency contact information, social security number, or any other information that reveals whether the person has family members. (see GCA Legal for additional disclosure exceptions)

All information contained in the personnel file of an employee shall be made available to that employee or the designated representative upon request by the employee, except as otherwise required by law. The College shall not deny to the employee or his or her representative access to information about the employee on the grounds that the information is considered confidential by privacy principles, but may assert as grounds for denial of access other provisions of the Open Records Act or other laws that are not intended to protect the employee's privacy interests. DBA Legal

### 1.04 STRIKES

College employees may not strike or engage in an organized work stoppage against the College. However, the right of an individual to cease work shall not be abridged if the individual is not acting in concert with others in an organized work stoppage. DGA Legal

### 1.05 EQUAL EMPLOYMENT OPPORTUNITY

Galveston College is an Equal Opportunity Employer and does not discriminate on the basis of age, race, color, religion, national origin, gender, disability, genetic information, or veterans status in its compensation, terms, conditions, or privileges of employment as required by Title IX of the Educational Amendments of 1972, Title VII of the Civil Rights Act of 1964, Section 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act (ADA) and the Vietnam Era Veteran's Readjustment Assistance Act of 1972. Discrimination on any of these bases will not be tolerated. [DIAA Local](#) [DIAB Local](#) [FFDA Local](#) [FFDB Local](#)

**The College designates the Director of Human Resources and Risk Management to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973 and to comply with Title IX of the Education Amendments of 1972. The Director's office address and phone number: 4015 Avenue Q, Galveston, TX 77550, (409) 944-1281.**

All employees of the College must comply with this policy and the laws dealing with discrimination. Any employee who violates such policies shall be subject to appropriate disciplinary action up to and including termination of employment. Any individual who believes that a violation of this policy has occurred may

raise concerns or file a complaint without fear of retaliation. Complaints should be directed to the Director of Human Resources and Risk Management. Students should follow the complaint procedure outlined in FLDA Local. Employees should follow the Complaint Procedure outlined in DIAA and Section 3.20 of this Handbook.

Retaliation against an individual for filing a discrimination complaint or for participating in a discrimination investigation is prohibited and constitutes grounds for disciplinary action up to and including termination.

### **1.06 TEXAS EMPLOYMENT**

Galveston College is a Texas employer and follows Texas employment laws. Galveston College is not registered for employment outside of the state of Texas. Therefore, employees of Galveston College are required to reside and work in Texas. You may not work remotely from another state (this does not include brief out-of-town travel, two weeks or less).

Employees that choose to move outside of the state of Texas must immediately notify Human Resources and their supervisor. Moving outside of the state of Texas may end employment with the College.

### **1.07 NOT A CONTRACT**

The employment-at-will doctrine is the law of Texas, under which an employer has no duty to an employee regarding continuation of employment. The employment-at-will doctrine places no duties on an employer regarding an employee's continued employment and thus bars contract and tort claims based on the decision to discharge an employee. In Texas, at-will employment is presumed unless shown otherwise. Employment for an indefinite term may be terminated at will and without cause, except as otherwise provided by law.

The information in this Handbook provides general administrative procedures for all employees. It is not intended to be construed as a contract of any kind between Galveston College and any of its employees, nor does it give any contractual rights upon any employee, or obligations upon the College.

### **1.08 SOLICITATION**

To avoid any conflict of interest, or the appearance of a conflict of interest, employees participating in fund raising activities for outside organizations must have prior approval from the Director of the Galveston College Foundation before soliciting College employees for these funds. This includes but is not limited to employees selling items for their children and employees making announcements through College email.

To avoid any conflict of interest or the appearance of a conflict of interest by the fund raising effort of an individual or an organization affiliated with Galveston College, and to eliminate the possibility of misrepresenting the College, employees seeking a donation on behalf of the College or employees who are approached about accepting a donation to the College should have prior approval from the Director of the Galveston College Foundation (409) 944-1302.

### **1.09 SUBSTANTIVE CHANGES**

Procedures have been established to ensure ongoing compliance with Comprehensive Standard 3.12 (Substantive Change) of the Principles of Accreditation from the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). All employees should be familiar with the *Procedures for Monitoring and Reporting Substantive Change* that are published in the College's *Curriculum Development and Revision Process Guide*. Employees will not initiate any action that could be considered a substantive change without written approval from the President and prior notification and approval, if required, from SACSCOC.

### **1.10 STUDENT RECRUITMENT- SERVICE MEMBERS**

As part of efforts to eliminate unfair, deceptive, and abusive marketing aimed at Service members, Galveston College commits to: (1) Ban inducements, including any gratuity, favor, discount, entertainment,



hospitality, loan, transportation, lodging, meals, or other item having a monetary value of more than a de minimis [defined as "an insignificant amount"] to any individual or entity, or its agents including third party lead generators or marketing firms other than salaries paid to employees or fees paid to contractors in conformity with all applicable laws for the purpose of securing enrollments of Service members or obtaining access to TA funds. Educational institution sponsored scholarships or grants and tuition reductions available to military students are permissible; (2) Refrain from providing any commission, bonus, or other incentive payment based directly or indirectly on securing enrollments or federal financial aid (including TA funds) to any persons or entities engaged in any student recruiting, admission activities, or making decisions regarding the award of student financial assistance; and, (3) Refrain from high-pressure recruitment tactics such as making multiple unsolicited contacts (3 or more), including contacts by phone, email, or in-person, and engaging in same-day recruitment and registration for the purpose of securing Service member enrollments. (34 C.F.R 668.71-668.75 and 668.14).

Any employee, student or campus visitor who believes an employee has violated this policy/procedure, may, without fear of retaliation, raise concerns or file a complaint with their Direct Supervisor, Department Head, or Director of Human Resources. Students should follow the complaint procedure outlined in FLD Local. Employees should follow the Complaint Procedure outlined in Section 3.20 of this Handbook.

## **CHAPTER 2- EMPLOYMENT INFORMATION AND REQUIREMENTS**

### **2.01 VACANCIES**

Advertisement for vacant positions will be prepared by the Department of Human Resources in conjunction with the hiring authority. Some vacant positions may be advertised internally for a period of three days. Some positions may be advertised externally. Vacancy notices will be posted on the College website and in the Human Resources Office. The College reserves the right to promote an internal candidate on a non-competitive basis if the best interest of the College is served.

There may be instances when a position is not posted or advertised such as when the unique qualifications of the position can be met from within the existing workforce; when there is a surplus of qualified employees in a field internally; when there are career ladder promotions and rotation of personnel for specific developmental and training purposes; when significant restructuring and organizational changes occur which do not create vacancies; or when an internal transfer or promotion occurs and the employee meets minimum qualifications of the vacant position.

### **2.02 APPLICATIONS**

Applications for Faculty positions are submitted directly to the College. Documents required are: Galveston College application form; cover letter; current resume; and a copy of college unofficial transcripts from an accredited institution.

Applications for Administrative, Professional/Technical, Classified and Part-Time positions are submitted to The Texas Workforce Solutions. Required documents will be specified on each job posting and will always include a Galveston College application.

At the end of the filing period, applications may be screened by the Human Resources Department for minimum qualifications and then forwarded to the search committee chair/hiring authority for evaluation, interviews, reference checking and recommendation. No employment decision relative to the selection process may be made concerning any applicant prior to the closing date of the position.

Galveston College will only accept applications for open and advertised positions. Applicants must be legally able to work in the U.S.A.

### **2.03 AGE REQUIREMENTS**

The minimum age for initial employment may vary according to the duties and responsibilities of the positions and conditions under which they are performed, subject to the following restrictions: No person under eighteen (18) years of age shall be employed as a regular full time or probationary employee, or as an employee in any position requiring the operation of a motorized vehicle or equipment owned by the College. No person under sixteen (16) years of age shall be employed as a part-time or seasonal employee.

### **2.04 NEPOTISM**

Galveston College permits employment of members of the same family provided there is no supervision of one family member by another and the College President has approved such employment. In this policy “members of the same family” means grandparents, father, father-in-law, mother, mother-in-law, aunt, uncle, brother, brother-in-law, sister, sister-in-law, spouse, child or other family member living in the same household.

“Supervision” shall mean an employee is supervised, directly or indirectly, by another employee who is at the next level or higher in the organizational hierarchy. Employees may not participate in any employment decisions related to their family member.

Notwithstanding the above restrictions on members of the same family, the College President may make a temporary exception to the policy if the educational or organizational objective of the College can only be met by this exception. For policy applying to public officials, refer to DBE Legal.

## **2.05 RECRUITMENT AND SELECTION**

All recruitment and selection activities are conducted in accordance with applicable state and federal laws, regulations and policies concerning Equal Employment Opportunity and Affirmative Action. The College enforces post-employment hiring restrictions of former Houston-Galveston Area Council employees or former Board members in decision making positions per TAC §801.55.

### **Equal Opportunity**

Galveston College is committed to meeting its employment needs by recruiting and selecting well-qualified job candidates; identifying faculty and staff with diverse backgrounds and perspectives that will afford broad multicultural and educational experiences.

While adhering to established procedures, the Department of Human Resources is responsible for assuring that fair Equal Opportunity procedures are followed throughout its recruitment, selection and appointment process. Every person involved in the search process must ensure that no candidate is discriminated against on the basis of age, race, color, religion, national origin, gender, disability, genetic information, or veterans status.

The College District shall not deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment on the basis of membership in a uniformed service, performance in a uniformed service, application for uniformed service, or obligation to a uniformed service.

### **Criminal background checks and valid Texas Driver's License**

All Galveston College positions are security-sensitive. The College will conduct a criminal background check on all prospective full-time and part-time employees. The College also verifies valid Texas Driver's License (TDL) for any employee driving College vehicles. If a criminal background investigation identifies a conviction, the Director of Human Resources will review the information with the President to determine if the offer of employment is affected by the report. Once cleared for hire, criminal background reports will become a part of the employee's personnel file. If a driver of a College vehicle commits an offense that jeopardizes TDL status they are to immediately notify their supervisor and cease driving any College vehicle until such time they are restored to TDL approved status. The College reserves the right to conduct periodic criminal background and TDL checks throughout the scope of employment. DC Legal

### **Assistance to Faculty Whose Primary Language is not English**

In accordance with the Texas Education Code, a candidate for employment shall be asked to identify his or her primary language. Once the selection process is complete and the employment paperwork is processed, any candidate who identified his or her primary language as a language other than English shall be asked to take the "Test of Spoken English" of the Educational Testing Service or other similar test as may be approved by the College District and the Coordinating Board.

A faculty member who does not self-identify or who cannot document proficiency in English as his or her primary language shall be tested with an approved assessment instrument. Any instructor who fails to achieve a satisfactory score on the test shall be required, at his or her own expense, to take one or more appropriate courses until he or she is able to achieve a satisfactory score and demonstrate proficiency.  
DK Local

## **Hiring Procedure**

After determining the need for a new hire, a budget review and determination of qualifications for the new position is completed. A job description is developed and submitted to Human Resources with a signed job vacancy notice form.

All faculty, administrative and professional technical positions that are advertised externally will be filled through a search committee appointed and supervised by the appropriate administrative supervisor. Non-exempt positions may be filled without the use of a search.

The search committee chair/hiring authority is responsible for evaluating applicant material against job related criteria, conducting interviews, evaluating and recommending finalists, conducting reference checks and ensuring documentation of the process. When the Personnel Action Request (PAR) is complete, and the employee is cleared for hire, HR will notify the supervisor. The supervisor will contact the applicant and extend the offer of employment. Upon completion of the search process, all search committee documentation is to be completed and returned to the Human Resources office.

## **On Site Interviews**

Galveston College may pay a qualified applicant necessary travel expenses related to an on-site interview for an exempt level position (Administrative, Faculty and Professional-Technical staff). The Human Resources Department should be contacted to obtain approval for reimbursement of interview expenses. The College President may increase the following reimbursement limits, when warranted.

Airfare, or mileage (personal vehicle only), may be reimbursed in an amount not to exceed round trip coach class up to a maximum of \$600 for Administrative level positions and \$450 for Faculty and/or Professional-Technical staff recruited regionally or nationally. Meals (not exceed the published GSA daily rates for Galveston <https://www.gsa.gov>), lodging, rental cars expenses, and other allowable expenses may be reimbursed up to a maximum total of \$300 per day not to exceed a maximum total of \$600. Expenses may be reimbursed after actual receipts have been received and processed by the College. A candidate that withdraws, or declines an offer of full-time employment, will not be reimbursed his/her expenses.

## **Moving Expenses**

Galveston College, at the discretion of the College President, shall reimburse reasonable and eligible expenses and/or relocation allowance for prospective administrative employees. The College reserves the right to notify and/or amend these practices.

The total value of the moving/relocation allowance shall not exceed the following: Administrative/Director Level: 4% of base salary and Vice President Level: 6% of base salary. The Board may grant payments of expenses in amounts exceeding the schedule, upon recommendation of the College President. The employee may not request reimbursement if receiving other funding sources.

Qualified moving expense reimbursement means any amount received (directly or indirectly) by an individual from an employer as a payment for (or a reimbursement of) expenses which would be deductible as moving expenses if directly paid or incurred by the individual.

Per the *Tax Cuts and Jobs Act of 2017*, Section 11049, employees may no longer exclude from income reimbursements received from their employer for their moving expenses. As of January 1, 2018 the College must include in income any amount it reimburses a new employee for relocation. Similarly, employees may no longer deduct any unreimbursed qualified moving expenses. These changes are effective in 2018 and will continue through 2025, when they sunset.

As of January 1, 2018, expenses related to moving that will be reported as taxable income subject to federal, Social Security, and Medicare taxes will include the following up to the pre-approved maximum level: packing of goods at the former residence and unpacking at the destination; transportation of household goods and personal effects by a professional moving company; mileage allowance at the allowable rate; rental of a truck and expenses incurred in moving household goods by the individual; full transit protection

of household goods; temporary storage cost for a period not to exceed 30 days; disconnection and installation of moved appliances.

Moving expenses always considered additional income to the employee and still subject to federal, Social Security, and Medicare taxes will include the following up to the pre-approved maximum level: food and lodging for travel between old and new residence (not to exceed the College's daily per diem rate); mileage for a personal second vehicle; pre-move house hunting trip; temporary living expense after arrival, not to exceed 30 days.

The following are expenses which will not be reimbursed by the College: removal and installation of drapes, carpeting, lights, etc.; maid service, childcare, etc.; moving of animals, plants, or any other property not usually defined as household goods; movement of perishable food products; cleaning, repair, renovation or lawn expenses at former or new residence; buy-out of unexpired leases; installation of electrical, telecommunication lines; storage or movement of boats and/or other recreational vehicles.

The newly hired employee must submit the original receipts for eligible expenses, along with his/her completed expense report to the appropriate Vice President who will arrange for reimbursement.

If an employee resigns his/her position within 24-months of the appointment, he/she will be required to repay 100% of reimbursement for moving and relocation expenses.

### **Confidentiality**

To the extent permitted by law, the Search Committee and the Department of Human Resources will maintain strict confidentiality regarding the applicant candidacy throughout and after the employment selection process.

### **References**

A minimum of three reference checks must be contacted by the Search Committee for the recommended finalist. One of the references should be the employee's last immediate supervisor.

### **Job Offer**

No offer of employment, either written or verbal, shall be made to the successful candidate without the approval of the College President or his/her designate. Employment offers for full-time faculty positions are conditional and subject to approval by the Board of Regents

All hiring must be approved and coordinated with the Human Resources office. After the selection process is complete and the best candidate identified, the requesting supervisor must initiate a Personnel Action Request (PAR) form. The PAR must include the employee's name, social security number, starting and ending dates, payroll account number, job title and rate of pay. The PAR form will then be returned to the Human Resources office to be routed for appropriate signatures.

If the College President concurs with the recommendation, a job offer may be made by the hiring authority. Unsuccessful candidates will be informed in writing by Human Resources.

### **Transcripts**

All Faculty and Administrators teaching credit classes are required by the College's accrediting agency, The Southern Association of Colleges and Universities, to have *official* transcripts on file in the Human Resources Office. These documents must be received prior to issuance of an employment contract. Applicants for positions having academic preparation requirements are required to submit official transcripts of all college credits and degrees conferred. An offer of employment may be withdrawn if all required documents have not been received by the designated starting date.

It is the employee's responsibility (not the issuing agency) to ensure the College receives the *official* transcripts. Photocopies of *official* transcripts or copies stamped "Issued to student" will not be accepted.

### **Adjunct Faculty**

Adjunct faculty are non-continuing in nature and are filled on a semester by semester basis. Adjunct faculty assignments are dependent on sufficient student enrollment, which cannot be verified until registration has been completed. Classes with insufficient enrollment may be cancelled at any time prior to the third class meeting at the discretion of the Vice President of Instruction or designee. Adjunct faculty may be used under the following circumstances:

- 1) When confronted by unexpected enrollment increases, especially in basic courses, and full-time faculty are unavailable.
- 2) When a decision is made to offer only one or two courses in a specialized program or discipline outside of the area of competency of available full-time faculty.
- 3) When there is a desire to initiate or experiment with a new course or program of study.
- 4) When there is a need to fill the teaching load of a member of the full-time faculty on Sabbatical Leave.
- 5) When there is a desire to appoint artists or writers-in-residence.
- 6) When courses in a program or discipline must be taught to meet the needs of students, but enrollment is insufficient or too inconsistent to justify the appointment of full-time faculty.

Applications for Adjunct faculty are accepted on a continuous basis and will be kept on file in the Human Resources Department for one year from date of receipt. The department chair, designee or appropriate administrator will interview selected qualified applicants by phone or in person. For employment consideration, a copy of the applicant's transcript(s) and resume must accompany the signed College application form. In compliance with the accreditation guidelines of the Southern Association of College and Schools, upon notice of employment, the successful candidate must provide *official* transcripts to the Human Resources Department. Photocopies of *official* transcripts or copies stamped "Issued to student" will not be accepted.

Final approval by the College President or designee is required for adjunct faculty positions.

### **Temporary/Part-Time Employees**

Temporary and part-time employees, including adjunct faculty, may be recruited and selected in the same manner as regular full-time employees. A committee process is not required to fill a temporary or part-time position. Volunteers must complete the established approval process prior to placement.

Usually a temporary employee may be appointed for a period of time not to exceed one semester. Such positions may be filled without advertisement; however, the selected candidate must meet the minimum qualifications for the position. A temporary or part-time employee must be aware that he/she should not have entitlement or expectations for continued employment beyond the appointed period. Temporary and part-time employees are not eligible for benefits.

A full-time non-faculty position may be filled for a period of time not to exceed one year on an emergency basis that prohibits the use of a normal posting, recruitment and selection process. However, there must be compelling reasons to fill the position, as well as the combined approval of the appropriate Vice President, and the President. The selected person must meet the minimum stated qualifications for the position and have no expectation of continued employment beyond the interim period. Customarily, an individual hired on an emergency basis is not eligible for benefits, unless the appointment exceeds four and one half months.

If an office requires temporary workers, the requesting supervisor shall complete a "Position Vacancy" form. The College may use temporary personnel service companies in accordance with District procedures. If an outside employment agency and/or temporary services agency is needed to locate a temporary/part-time worker, a copy of the approved form is sent to the Human Resources Office at least one week in advance of the anticipated date of employment. The Human Resources Office will assist in making any arrangements. Emergency hiring will be handled on a case-by-case basis.

### **Work Study Students**

Limited numbers of work-study student assistants are available to serve as lab assistants, office helpers, etc. The number of work-study students assigned to a department depends on the total number of work-study students available. Priorities for work-study assignments are made by the Financial Aid Department during the annual budget process.

### **Department Transfers**

The College recognizes the importance of internal transfers as a tool of personnel management. Whenever current employees have the qualifications for transfer to a vacant position, it is the intention of the College they be given consideration. Employees qualified for the position shall be considered for a transfer within the College upon completion of the application process. However, the College President may decide to advertise externally when such would be in the best interest of the College.

### **Retirees**

The College may employ a person who has retired under the Teacher Retirement System or the optional retirement program if the Board determines (1) that the employment is in the best interest of the College and (2) the person has been retired for at least 30 days before the effective date of the employment, except that a person retired under the optional retirement program may be rehired after retirement without the break in service requirement. DC Legal

### **Final Employment Approval**

All appointments must have the final approval of the College President. Full-time faculty positions are contractual and therefore must also be approved by the Board.

### **Employee Status Changes**

Any change in employment activity requires notification to the Human Resources Department. This notification is made by the department supervisor by completing and submitting a Personnel Action Request form (PAR).

The PAR form is used for the following changes: new hire; change in employee classification, rate of pay or title; transfer of employee from one department to another; change in number of hours or percent of effort employee is regularly scheduled to work; termination, resignation; new fiscal year appointment of part-time employees; account number change.

### **2.06 IMMIGRATION ACT COMPLIANCE/ PROOF OF RESIDENCY**

As a condition of employment, within three (3) working days from the date of hire each new applicant must provide to Human Resources documents verifying identity and eligibility to be employed in the United States (as required by the Department of Homeland Security, U.S. Citizen and Immigration Services, Employment Eligibility Verification, listed on the Form I-9). DC Legal

The College utilizes the E-Verify system operated by the Department of Homeland Security in partnership with the Social Security Administration to electronically verify the employment authorization of newly hired employees.

If you are claiming exemption from FICA withholding as a teacher or trainee temporarily present in the U.S. under a “J” or “Q” visa, or a student temporarily in the U.S. under an “F”, “J”, “M”, or “Q” visa who is performing services specified in the Immigration and Nationality Act you must complete IRS Form 8843. Form 8843 will be used for College Records only (not to satisfy any IRS filing requirements). It is your responsibility to submit this form to the IRS annually.

If an employee is unable to present the required document(s) within this time frame, the employee must provide a receipt showing that he/she has applied for the documents and must present the actual document within 90 days of the hire date. This form will be held as part of the Human Resources file.

## CHAPTER 3- WORKING CONDITIONS

### 3.01 EMPLOYEE CATEGORIES

All College employees are defined as *Exempt* or *Non-Exempt* in accordance with the provisions of the Fair Labor Standards Act (FLSA).

**Exempt** – employees who are exempt from the provisions of the Fair Labor Standards Act. Administrative, Faculty and Professional/Technical employees are exempt from the overtime provisions of the Law.

**Non-Exempt** – employees who are not exempt from the provisions of the Fair Labor Standards Act. This category includes classified staff and hourly employees. Employee classification and employee group are synonymous.

The term “regular full-time” means the employee is employed in a continuing position authorized in the Staffing Plan as a 40-hour per week position for a non-faculty employee and a 37.5 hour work week for a faculty position.

#### Definitions of Employee Categories

**Administrative**— Senior level employees providing management and direction for the College, which includes heads of major units of the college, such as Vice Presidents, and Directors.

**Professional/Technical Support**— Coordinators, supervisors and professional positions. Types of positions include employees who provide skilled professional services for the College, such as supervisors, assistant directors, coordinators and systems analysts.

**Faculty**- Employees having the full responsibilities of instruction and also serve in various administrative capacities. Faculty positions may be either tenure track, or non-tenure track. Full-time teaching faculty are required to work a minimum of 37.5 hours per week on campus during their contract period. Teaching assignments may include teaching during the day or evening or weekends and at more than one location. Twelve-month faculty observe the same College work schedule as all other 12-month employees.

Full-time faculty workloads for the academic year shall be determined as follows: 15 instructional load hours for each fall and spring semester (30 instructional load hours per academic year). All classes taught during a special or summer session by faculty members on a nine-month contract will be handled as part-time or overload assignments. For Faculty Rank and Tenure information refer to the Faculty Handbook.

**Classified Staff**— Clerical, Administrative Support, Maintenance and Trades/Craft employees who perform skilled office support, craft or technical services for the College, such as administrative assistants, accounting technicians and secretaries.

**Federal Work Study**- Students who work at the College under the Federal Work Study Program (not to exceed 19.5 hours per work week).

**Adjunct Faculty**—Part-time certified temporary faculty who assume a partial teaching load on a semester-by-semester basis.

**Regular Full-Time Employee**— Positions which have no defined termination date and are paid according to the established salary schedules and generally work 40 hours per work week.

**Part-Time Employee**— Non-benefit eligible positions for which the usual work week is less than 20 hours per week or not more than 1040 hours in a calendar year. Part-time employees working in more than one department are also limited to these hour maximums.

**Temporary Employee**— Positions established for a specified period of time. Temporary employees may work full-time, part-time, or as needed. Temporary employees are generally exempt from College provided benefits.



**Substitutes-** Faculty may be assigned to teach classes during the temporary absence of the regular instructor. Compensation for such service shall be at rates established by the Board or through professional courtesy, as determined by the College President or designee. The College may use temporary personnel services companies in accordance with District procedures.

### **3.02 EMPLOYMENT STATUS**

#### **Assignments**

All employees shall be subject to assignment and reassignment by the College President at any time. This includes position, shift (day/evening/weekend), location of employment, workload and hours of employment. In order to provide for essential College operations during the holiday periods, some employees may be required to work on holidays. In that event, such employees shall be allowed compensatory time off.

#### **Faculty Rank and Tenure**

The College President, in consultation with the faculty, is authorized to develop criteria and procedures for the awarding of the ranks of instructor, assistant professor, associate professor, and professor and tenure consistent with both the Criteria for Accreditation by the Southern Association of Colleges and Schools and the general practice of the higher education community. Rank and Tenure procedures are posted on the College's website.

#### **At Will**

"At-Will" employees are hired for an unspecified length of time, working solely at the will of the College. Administrators, Professional/Technical, Classified, Adjunct Faculty, hourly staff and part-time employees are categorized as "at will." Employment may be terminated at any time by either the College or the employee without prior notice.

#### **Reduction in Force**

"Reduction in force (RIF)" means the dismissal of a contracted employee before the end of a contract term for reasons of financial exigency or program change. Non-renewal of an employee's contract is not a "reduction in force." A reduction in force may be implemented in one, several, or all employment areas. Reductions in Force shall be carried out according to Board policy.

### **3.03 PERSONNEL RECORDS**

An individual employee should keep the Human Resources Department informed of any changes in personal status. Any change in marital status, births, deaths or number of dependents in an employee's family may affect the employee's income tax, withholding or the rates of the employee's medical and dental insurance.

An employee may add dependents to his/her medical, dental, and life insurance policies if the Human Resources Department is notified within 30 days of the date such dependents first become eligible through a qualifying event. Designated beneficiary changes can be made at any time at ERS Online, [www.ers.state.tx.us](http://www.ers.state.tx.us).

Throughout the year, the College will want to provide employees with communications by mail; i.e., W-2 forms, orientation or meeting dates or change of schedule information. Each employee should promptly notify Human Resources of any changes in personal data such as mailing address, telephone numbers, cell phone number, home address, email address, emergency contact information or name changes.

Employees can update any and all personal information by completing a Change form in Human Resources. Contact information should also be provided to the department supervisor. It is important to keep educational transcripts, accomplishments, publications, and other information accurate and current. Accreditation officials will review the employee credentials for verification of job qualifications.

### **Access to Personnel Files**

Official files are kept on each employee in the Human Resources Office. File contents include application materials, official college transcripts, employment documentation, contracts, evaluations, sabbatical records, work performance documentation, promotions and award recognitions. Employees have access to review their personnel file under the supervision of a Human Resources employee. The employee may not add to or remove information from their file. Review of employee files will be conducted in accordance with Section 1.03 of this Handbook.

### **3.04 MEDICAL INFORMATION CONFIDENTIALITY**

The College strives to protect the privacy of its employees' medical information to the greatest possible extent. DBB Local, DBB Legal. To accomplish this, the College and its Administrators and all employees are required to follow these guidelines regarding the confidentiality of medical information:

All medical information concerning employees will be maintained in separate, confidential medical files that are apart from regular employee file. Only authorized employees will have access to such files, and access will be provided solely on a need-to-know basis. Furthermore, such access shall be granted only in accordance with applicable law, which includes (but is not limited to) the Americans with Disabilities Act, the Occupational Safety and Health Act, the Family and Medical Leave Act, the Federal Rehabilitation Act, state workers' compensation law and state privacy laws.

Medical information concerning employees is absolutely confidential under state and federal laws and may not be discussed at any time with any person under any circumstances. Exceptions are if an employee needs to do so in order to carry out his or her job duties, or if the person discussing the information is talking with subject of the information at that person's invitation. If an employee is concerned about a co-worker's possible medical condition, the employee should direct these concerns only to the College's Privacy Officer (the Director of Human Resources) and no one else.

Any employee who is found to have discussed medical information about another employee in violation of this procedure, or who is found to have released such information without authorization, will be subject to disciplinary action. In addition, employees who violate medical information confidentiality may be subject to civil and criminal liability under state and federal laws.

Any access to medical records must be approved by the College's Privacy Officer. If an employee believes that his/her medical information confidentiality has been violated, he or she should contact the College's Privacy Officer. If it is believed that the College's Privacy Officer has violated the confidentiality, the employee should contact the Vice President of Administration.

Medical records will not be provided to outsiders, except when the College is properly served with a valid subpoena. When possible, the College will notify the employee of the proper service of a subpoena.

### **3.05 EMPLOYMENT VERIFICATION**

The Human Resources Department is the official source of information regarding present and former employees. Occasionally, information regarding current or former employees is requested by a court, government agency, mortgage company, bank or other financial institution having the authority to obtain such information. The College complies with these requests through the Human Resources Department.

In instances where verification of employment is requested from Human Resources, please be aware of the following: Requests must be in writing and the employee's general release must be on file with the Human Resources Department, if the employee has not provided a general release, the Human Resources Department will only respond to written requests accompanied by a signed release from the employee. The Human Resources Department will furnish or verify only an employee's name, dates of employment, job title and department, compensation data and employment status.

### **3.06 TIME KEEPING PROCEDURE**

All hourly employees (classified, part-time and work-study) are required to utilize the online timekeeping procedure (or keep a timesheet if not available). An employee who leaves the worksite, unless on College business, must record the work time missed. The employee is responsible for letting the supervisor know any time an exception occurs. Accurate and timely reporting of an employee's time and attendance is the direct responsibility of the supervisor and the employee. Grant funded positions shall be paid according to the specifications of the grant, complying with the standard payroll practices for the college. All grant funded positions (exempt and non-exempt) require time-and-effort reports documenting all grant related activities. Accurate time-and-effort reports are the direct responsibility of the grant supervisor and the grant employee. Supervisors are responsible for the following:

- 1) Before the new employee's start date (full-time, part-time, and work study), assuring all required documents are completed accurately, including account numbers, and submitted to the Human Resources Department.
- 2) Verifying for accuracy and imputing employees' leave (sick, vacation, personal, etc.);
- 3) Auditing and approving the employee's monthly timecard record prior to the payroll cycle closing for the applicable month;
- 4) Ensuring classified employees work 40 hours per week, and take a daily lunch break (clocking in and out);
- 5) Adhering to College policies regarding work-study awards, including restrictions regarding hours and length of work week.

### **3.07 CONFIDENTIALITY OF INFORMATION**

Employment with Galveston College carries with it a responsibility for ethical work and confidentiality. Ethical work means an employee does not use business information or circumstances for personal gain. In the course of business, employees may be exposed to confidential information regarding students, supervisors or other employees. No confidential information is to be shared for any reason other than necessary business purposes. Employees are required to check with their supervisors, prior to sharing information, to determine whether or not it is confidential.

Confidentiality does not mean ignoring illegal, unethical or prohibited conduct of others on the job. Such on-the-job conduct must be reported. Confidentiality means not sharing information obtained for business purposes with others who have no need of such information. Violations of confidentiality may result in disciplinary actions.

#### **Identity Theft Prevention** (refer to CS Local & Galveston College Identity Theft Program)

The following actions will be taken to protect and defend student and employee identifying information from unauthorized access, theft, and/or disclosure. Departmental files containing hard copies of identifying information are to be kept locked when not in use. Monitoring and controlling access of these files will be the responsibility of the department supervisor. Printed documents that have been identified as trash, but which contain student and employee identifying information will be placed in a locked bin for future shredding or immediately shredded using a mechanical crosscut.

A valid photo ID will be required any time identifying information related to a student and/or employee is collected or changed. This includes but is not limited to payments received using a credit or debit card, information collected for financial aid, information collected for registration / admission (parking permits and College ID badges), and information collected for background checks, drug tests, communicable diseases or proof of vaccination.

#### **Whistleblowers Protection**

The Board or its agents shall not suspend or terminate the employment of, or take other adverse personnel action against, an employee who in good faith reports a violation of law by the College or another public employee to an appropriate law enforcement authority. DG Legal

### **3.08 USE OF COLLEGE TIME AND/OR EQUIPMENT AND MATERIALS**

All College employees should be particularly careful that they do not use time while on duty with the College for personal business, or use College equipment or materials for personal benefit including employment needs of any assignments beyond Galveston College.

Property owned by the College is not for personal use and shall remain on the College campus at all times. If an employee of the College is given permission by their supervisor (and appropriate Vice President if applicable) to remove College property from the campus, the employee does so with the understanding that they are accepting full responsibility for that property. If said property is damaged, lost or stolen the employee may be asked to replace the property at the employee's expense.

### **3.09 INTELLECTUAL PROPERTY**

All copyrights, trademarks, and other intellectual property rights shall remain with the College at all times including: names, logos, mascots, and symbols. As an agent of the College, an employee, including student employee, shall not have rights to work he or she creates on College time or using College technology resources. The College shall own any work or work products created by a College employee in the course and scope of his or her employment, including the right to obtain copyrights. For exceptions refer to CT Local.

### **3.10 PERSONAL PROPERTY**

Employees who choose to bring their personal property on College premises including mobile workstations (i.e. laptops), office decorations, or any other items, do so at their own risk. The College will not assume responsibility or replacement costs for any employee's personal property that is damaged, lost or stolen.

Due to cybersecurity risks the use of personal equipment such as desktops, printers, and mobile scanning devices, in lieu of College purchased equipment, is prohibited. This includes networking wiring cables, networking appliances such as wireless routers and gateways, and any devices that plug into the college's network. If an employee has a software or hardware need, that is not available on College equipment, the employee must notify their supervisor who will work with the Director of IT to determine the best course of action.

### **3.11 OUTSIDE EMPLOYMENT/ CONFLICT OF INTEREST**

Galveston College recognizes the value to its students, its employees, and the community arising from outside consulting and other professional experiences in which members of the faculty and professional staff may engage. Full-time employment with the College demands an individual's full-time professional expertise and commitment; therefore, employment with the College shall take precedence on the energies and efforts of its employees.

An employee who operates an independent business, or who has outside employment, is expected to conduct any work relating to such business or employment, outside the normal work hours established by the College. An employee shall not accept other employment or compensation that would reasonably be expected to impair the employee's independence or judgement in the performance of their duties or would require or induce the disclosures of confidential information.

An employee shall not accept or solicit any gift, favor, service, personal investments or other benefit that could reasonably be construed to influence the employee's discharge of assigned duties and responsibilities or judgement.

#### **Disclosure**

Employees shall not accept outside employment without prior disclosure to their supervisor and the appropriate vice-president at least 15 days prior to accepting the outside employment. The employee shall submit the completed Conflict of Interest Disclosure Form to the Human Resources Department.

An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or that creates a potential conflict of interest with the best interest of the College.

Prior to the award of a contract or authorization of payment by the College, an employee shall file with the College President or designee an affidavit disclosing any substantial interest in a business entity or interest in real property, as defined in BBFA Legal, if the employee is in a position to affect a financial decision involving the business entity or the real property.

### **Incompatible Offices**

One person may not occupy two legally incompatible offices. A college instructor is an employee and not an officer within the meaning of the Texas Constitution, Art XVI, Sec. 40; therefore, he/she is not barred from serving in another governmental capacity so long as the two positions are not incompatible. Offices are legally incompatible when the faithful and independent exercise of one would necessarily interfere with the faithful and independent exercise of the other. Whether two positions are legally incompatible is a question to be determined by those having supervision over one or both of the positions held by the person in question. In the case of a college instructor, it is the responsibility of the College President to determine whether any additional position or office is legally incompatible with the teaching position. An employee will automatically resign from their position with Galveston College upon violation of this procedure.

### **Exception**

Employees shall not be barred from serving as members of the governing bodies of school districts (other than those in which they are employed), cities, towns, or other local governmental districts; provided, however, that such employees shall receive no salary for serving as members of these governing bodies (unless permitted by law).

### **Endorsements**

An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the employee during non-school hours, unless the product, material, or service is recommended, endorsed, or required for a course the employee teaches and is reasonably related to the subject matter of the course and the course syllabus. No employee shall require students to purchase a specific brand of supplies if other brands are equal and suitable for the intended instructional purpose. An employee shall not use his or her position with the College to attempt to sell products or services, unless the product or service is recommended, endorsed, or required for a course the employee teaches and is reasonably related to the subject matter of the course and the course syllabus.

### **Solicitation**

An employee shall not use his or her position with the College District to attempt to sell products or services, unless the product or service is recommended, endorsed, or required for a course the employee teaches and is reasonably related to the subject matter of the course and the course syllabus (CT Local). An employee, as well as their family members, shall not promote, solicit or engage in non-College related business activities or fund raising events on the College campus (e.g. selling food, crafts, clothing, personal care products, etc.)

## **3.12 WORK BREAKS**

A non-exempt employee working an eight (8) hour shift may have a compensable work break up to fifteen minutes each morning and fifteen minutes each afternoon during regularly assigned duty hours. Work breaks may not be used to cover late arrivals or early departures from the employee's workstation, or to extend a meal period. Work breaks are not cumulative and, if not taken, are forfeited. Work breaks may not be combined to provide a thirty-minute work break once a day, nor may they be accumulated for vacation or other time off. Work breaks must be taken at the worksite or other such areas designated by the

supervisor. All employees are permitted a reasonable break time to express breast milk for a nursing child for one year after the child's birth (breaks exceeding those mentioned above must be taken off the clock). 29 U.S.C. 207

### **3.13 CHILDREN IN THE WORKPLACE**

Liability issues and the potential for disruption of normal business operations are the rationale for the College's procedure disallowing employees to bring children into the workplace. Although the College at-large strives to be a family-friendly environment, it must be recognized that it is not appropriate to bring children to work. Employees may not bring their older children to the workplace to volunteer to do work assignments in the parents' or relatives' classroom or office. This procedure does not apply to the children of employees attending Kids College or organized athletic, musical or art events where they are the responsibility of their school or visiting organization.

Prior to working with minor children, College faculty and staff are required to complete the *Reporting Suspected Abuse or Neglect of a Child Training* on the Texas Department of Family & Protective Services (DFPS) website and provide the Human Resources Department a copy of their Certificate of Completion.

### **3.14 ANIMALS IN THE WORKPLACE**

Liability issues and the potential for disruption of normal business operations are the rationale for the College's procedure disallowing employees to bring animals into the workplace. This does not apply to service animals or animals serving an academic purpose.

### **3.15 TELEPHONES AND PERSONAL CELL PHONES**

Much of our business is conducted over the telephone and it is essential to project a professional telephone manner at all times. There may be times when an employee needs to use the telephone for personal reasons; however it is expected good judgment will be used in limiting the length and frequency of such calls. Voice mail message should contain name, title and information relevant to position only (i.e. office hours). Employees are not permitted to add personal comments on the College voice mail system.

No personal long-distance calls may be made on the College telephones. Communication over the FAX machine may constitute a long-distance charge to the College. Employees are to curtail the use of the FAX machines except for College business purposes unless they reimburse the College for use. Cell phones and other devices may not be used to take photographs in private areas such as changing rooms, locker rooms, or bathrooms.

### **3.16 USE OF COLLEGE VEHICLES**

College vehicles are available for College-related use. This service is coordinated through the Security Office and requires an approved Vehicle Use Request Form. Only College employees with an appropriate driver's license are allowed to drive College vehicles. At no time will a student be permitted to drive a College vehicle (except for the purposes of rendering aid or assistance in an emergency situation under the direction of a College employee). The College complies, as applicable, with the Federal Motor Carrier Safety Administration (FMCSA) Procedures for Transportation Workplace Drug and Alcohol Testing Program, as well as other appropriate Department of Transportation policies and procedures. Smoking is prohibited on College property including in all College vehicles. Texting while driving College vehicles is prohibited. Fuel charges are put on a College credit card and charged to the department sponsoring the travel. All college travel is subject to policies and safety standards of CJ Legal, CJ Local, Section 2.05 and applicable College Travel Procedures.

### **3.17 WORKPLACE VIOLENCE AND PREVENTION**

It is the policy of Galveston College to promote a safe environment for its employees, students, and visitors. The College is committed to working with its employees to maintain an environment free from violence, threats of violence, harassment, intimidation, or other disruptive behavior. This policy applies to employees and students, as well as independent contractors and other non-employees doing business with Galveston

College. Individuals who commit such acts may be removed from the premises by College Security and may be subject to disciplinary actions, criminal penalties, or both.

Violence, threats, harassment, intimidation, and other disruptive behavior in College facilities will not be tolerated. Vulgar, abusive, humiliating or threatening language, practical jokes, or other inappropriate behavior in the workplace is prohibited. The College does not tolerate the harassment of any employee or non-employee by any other employee or non-employee for any reason. Harassment of a sexual nature is a violation of various state and federal laws which may subject the individual harasser to liability for any such unlawful conduct.

It is the responsibility of all employees of the College to immediately report any occurrence of such conduct. All reports will be taken seriously and will be dealt with appropriately. Prohibited behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm.

### **Complaint Procedure**

Any employee, student or campus visitor who believes an employee has violated this policy/procedure, may, without fear of retaliation, raise concerns or file a complaint with their Direct Supervisor, Department Head, or Director of Human Resources and Risk Management. Students should follow the procedures in [FFDA Local](#). Employees should follow the procedures in [DIAA Local](#) for Title IX complaints (or the Complaint Procedure outlined in Section 3.20 for non-Title IX complaints).

### **3.18 DISCRIMINATION AND HARASSMENT POLICY**

The College prohibits any form of discrimination or harassment based on race, color, religion, national origin, age, disability, gender, or pregnancy or any protected status, by or toward its employees. Violations of the discrimination and harassment policy will result in discipline up to and including termination, as the College deems appropriate. This applies to any individual while on College property or in a College sponsored or controlled activity/event. [DIAA Local](#) [DIAB Local](#) [FFDA Local](#) [FFDB Local](#)

The standard for determining if a hostile work environment exists is when a reasonably prudent person with the responsibility of conducting an investigation, after a thorough investigation, determines that: 1) Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or 2) The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment. [DIAA Local](#)

#### **Definition of Discrimination/Harassment:**

[DIAA Local](#) addresses complaints of sex and gender discrimination, sexual harassment, sexual violence, dating violence, domestic violence, stalking, and retaliation targeting employees. For purposes of this policy, discrimination/harassment is defined as offensive conduct relating to an employee's age, color, disability, gender, national origin, race or religion, which has the purpose or effect of creating an intimidating, hostile or offensive work environment; or interfering with an individual's work performance; or adversely affecting an individual's employment or career-related action.

Harassment occurs in a variety of situations which all share a common element: unwelcome comments or behavior that affects the workplace. Some examples of harassing behavior include the following:

*Verbal:* Threats directed toward an employee, his family or property; innuendos or comments emphasizing the age, color, disability, gender, national origin, race or religion of an employee; jokes regarding the age, color, disability, gender, national origin, race or religion of an employee; graphic comments; slurs; unwelcome flirtations, propositions or sexual comments toward an employee.

*Visual:* Derogatory, demeaning or suggestive graffiti, drawings, gestures or objects.

*Physical:* Unwelcome touching, impeding or blocking movement, physical interference with normal work or movement, or assault.

### **Complaint Procedure**

Any employee, student or campus visitor who believes an employee has violated this policy/procedure, may, without fear of retaliation, raise concerns or file a complaint with their Direct Supervisor, Department Head, or Director of Human Resources and Risk Management. Students should follow the procedures in FFDA Local. Employees should follow the procedures in DIAA Local for Title IX complaints (or the Complaint Procedure outlined in Section 3.20 for non-Title IX complaints).

### **3.19 SEXUAL ASSAULT AND HARASSMENT POLICY**

The policy of Galveston College is to provide an environment free of unwelcome sexual advances, requests for favors, and other verbal and/or physical conduct or communications constituting sexual harassment as defined and prohibited by state and federal law. Sexual harassment by and between employees; employees and students; and campus visitors and students or employees, is prohibited. This applies to any individual while on College property or in a College sponsored or controlled activity/event. DIAA Local DIAB Local FFDA Local FFDB Local & Staying Safe on Campus

The College will promptly correct any sexually harassing behavior. Violating this policy may result in disciplinary action up to and including termination for employees; sanctions up to and including suspension or expulsion for students; and appropriate sanctions against campus visitors.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- 1) Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
- 2) The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment. DIAA Local

Any form of sexual violence is harassment. Sexual harassment of students includes, but is not restricted to, such activities as engaging in sexually oriented conversations for purposes of personal sexual gratification, telephoning students at home or elsewhere to solicit inappropriate social relationships, physical contact that would reasonably be construed as sexual in nature, and enticing or threatening students to engage in sexual behavior in exchange for grade or other school-related benefit.

A supervisor with immediate (or successively higher) authority over an employee shall not create an actionable hostile environment for that employee nor take a tangible employment action (hiring, firing, failing to promote, reassignment with significantly different responsibilities, or a decision causing a significant change in benefits) based on an employee's sex. Legal DAA

### **Complaint Procedure**

Any employee, student or campus visitor who believes an employee has violated this policy/procedure, may, without fear of retaliation, raise concerns or file a complaint with their Direct Supervisor, Department Head, or Director of Human Resources and Risk Management. Students should follow the procedures in FFDA Local. Employees should follow the procedures in DIAA Local for Title IX complaints (or the Complaint Procedure outlined in Section 3.20 for non-Title IX complaints).

### **3.20 COMPLAINT PROCEDURE**

#### **Procedure for Filing a Complaint**

The College shall exercise reasonable care to prevent and correct promptly any harassing behavior and develop preventative or corrective measures.

The Director of Human Resources is the designated Civil Rights Officer for the campus. Any employee, student or campus visitor who believes he/she has been harassed by an employee, or a violation of these policies/procedures has occurred, may, without fear of retaliation, raise concerns or file a complaint with



their Direct Supervisor, Department Head, or Director of Human Resources within 90 calendar days of the alleged incident when possible. Galveston College will conduct a prompt, fair, and impartial investigation from initial report to final results only to the extent that it does not impeded an ongoing criminal or regulatory investigation.

### **Level One**

The complainant will be required to complete a written statement giving specifics of the incident in order that a thorough investigation may begin. In considering and investigating allegations that an employee has harassed a student the investigation shall proceed from the presumption that the employee's conduct was unwelcome.

Within seven business days after receiving the complaint in writing, the respondent (the accused) will be contacted by the Director of Human Resources and apprised of the allegations made against him/her. The respondent will have the opportunity to refute the allegation(s) by responding, in writing, within seven business days. The respondent will also have the opportunity to respond to any other new information/allegations that may arise during the course of the investigation.

The Director of Human Resources will coordinate a full investigation of the allegation(s) made and may assign an investigator or include outside legal counsel if necessary in accordance with Board Policy. This will include interviews with the complainant, the respondent, and all witnesses (when necessary). Signed statements will be requested.

After conducting a thorough investigation of the allegation(s) regarding the harassment, the investigator will report all findings, conclusions and recommendations to the Director of Human Resources.

Within seven business days of the conclusion of the investigation, the Director of Human Resources will provide the departmental Vice President all documentation with a written summary of conclusion and recommendations regarding the validity of the complainant's allegation(s).

Within seven business days of receiving the findings from the Director of Human Resources, the departmental Vice President, after conferring with the Director of Human Resources, will evaluate the investigation results and determine a resolution directed toward the avoidance of future problems as well as address any harm that may have occurred as a result of the alleged violation. If additional time is needed (up to ten business days), the request will be made to the Director of Human Resources, in writing, and the complainant as well as the respondent will be notified of the delay.

If it is determined harassment has occurred, appropriate remedial or disciplinary action, up to and including dismissal, will be taken by the College. The severity of the remedy or discipline will be determined by the severity and frequency of the conduct, or other conditions surrounding the incident.

### **Level Two**

If the outcome of the investigation at Level One is not to the complainant's satisfaction, the complainant may submit a written request for a conference with the College President or designee to discuss the complaint. This request shall be filed within seven business days following receipt of a written response or, if no written response is received, within seven business days of the response deadline.

The College President or designee shall hold the conference as soon as possible after receipt of the written request. The College President or designee shall have seven business days following the conference within which to respond.

### **Level Three**

If the outcome at Level Two is not to the complainant's satisfaction or if the time for a response has expired, the complainant may submit to the College President or designee a written request to place the complaint on the agenda of the next regular Board meeting. The College President may place the matter on the agenda for the next regular or following regular Board Meeting. BD Local

The complaint may be included as an item on the agenda posted with notice of the meeting. Posting constitutes communication of the date and time to the complainant and respondent.

The College President or designee shall provide the Board with copies of the complainant's original complaint, all responses, and any written documentation previously submitted by the employee and the administration. No new or altered information will be allowed.

The presiding officer shall determine a reasonable time for presentation of the complaint. The Board shall consider the complaint and shall request a response from the administration.

The Board may hear the allegation of harassment in closed meeting, if posted in accordance with law, unless an open hearing is requested in writing by the respondent against whom the complaint or charge is brought. There is no requirement that the Board negotiate or even respond to the complaint. DGBA Legal

### **Complaint Notice**

Intentional reports of false claims of harassment will not be tolerated. The College reserves the right to discipline employees and/or students who intentionally bring false complaints of harassment.

If the validity or falsification of the offense cannot be satisfactorily established, the department supervisor, along with the appropriate supervisory personnel, shall decide on an appropriate action which minimizes interference of College operations and/or allows for the respondent and complainant to continue their work/school routines with minimal personal consequence/contact.

All employees and students have a duty to cooperate in investigations of alleged harassment. This duty includes complying with any directive relating to confidentiality of the information provided or identity of the individuals involved or in providing information about the complaint or investigation. Failure to comply with such directives may result in disciplinary action.

Exercising rights under this procedure does not in any way affect an employee's right to seek relief through the Texas Commission on Human Rights, the Equal Employment Opportunity Commission, or in a court of proper jurisdiction for any complaint for which a remedy is provided under state or federal law. It is the responsibility of each employee to be aware of the details of the foregoing policies and procedures.

### **Withdrawal**

A complainant may withdraw a complaint at any time. However, the College may still pursue an investigation and determine whether disciplinary action is warranted.

### **Retaliation**

Retaliation against any individual for filing a harassment complaint or for participating in a harassment investigation is grounds for a subsequent harassment complaint and disciplinary actions up to and including termination of employment. An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with an investigation is subject to appropriate discipline.

## **3.21 POSSESSION OF WEAPONS**

Students, employees, and/or visitors may not bring to any campus or a college-related activity any weapons prohibited by law including: fireworks of any kind; firearms (except those allowed in CHFA Local Policy Weapons - Carry of Concealed Weapons). The definition of prohibited weapons includes, but is not limited to, pellet guns, BB guns (spring loaded or otherwise), paint ball guns, or other devices designed to expel a projectile with or without the use of pressurized air; firearm replica; explosives; incendiary devices; illegal knives; clubs; razors; chains; martial arts weapons; for example, throwing stars; and, any other object, including school/college supplies, used in a way that threatens or inflicts bodily injury on another person. CHF Local

Exceptions to the above may be authorized by the College President for instructional purposes and/or other purposes as may be appropriate. Additionally, a firearm or ammunition that is stored or transported in a

locked, privately owned or leased motor vehicle by a person who holds a license to carry a concealed handgun and who lawfully possesses the firearm or ammunition does not constitute a violation of this policy as long as the vehicle is in a street or driveway located on the campus of the College District or in a parking lot, parking garage, or other parking area located on the campus of the College District.

### **3.22 INTERNET USE AND PRIVACY OF ELECTRONIC MAIL**

The College President or designee shall approve an information security program designed to address the security of the College's information resources against unauthorized or accidental modification, destruction, or disclosure. This program shall also address accessibility, privacy, and security of the College's Web site. CS Local

The College provides computing and network resources for the use of students, employees and others affiliated with the College. Users are expected to conduct themselves in compliance with all policies of the College and relevant laws of the United States and Texas. Users must demonstrate the same high ethical and professional manner when communicating by e-mail and social media as is required in face-to-face or written communications. Moreover, there is no expectation of privacy when using the College network and computing resources. This includes accessing personal accounts through the College servers and/or other College equipment. Users have the responsibility to report violations of privacy to their supervisor.

Access to the College's e-mail and similar electronic communication systems is a privilege extended to current employees, students and affiliates who are in good standing. The privilege of access ends with the termination of employment.

The following conduct by computer users will be treated as a violation of College policy and may result in discipline to include loss of computing privileges, up to and including termination for a Galveston College employee and dismissal for a student:

- Forged or anonymous e-mail messages;
- Unauthorized attempts to access another person's e-mail or similar electronic communications, or using another's name, e-mail or computer address or workstation to send e-mail or similar electronic communications;
- Utilizing College e-mail or other network resources for commercial purposes or for personal financial gain;
- Using computing resources in a manner that disrupts the work or education environment;
- Modifying, copying, or transferring any software provided by the college, faculty, or another student without permission from the originator;
- Intentional use of College computing resources to store, download, upload, display, print or email images constituting "obscene materials" as defined by Section 43.21 of the Texas Penal Code not directly related to or required for a specific educational course or research directly related to an educational program;
- The display or transmission of messages, images, cartoons or other messages or images that are sexually explicit or that demean a person on the basis of race, ethnicity, gender, religion, national origin, or disability;
- Communications on social network sites which cause discredit to the College;
- Harassing co-workers or students via text messages (or other communication sources).

#### **Discipline**

Employees may be disciplined up to and including termination for violation of email policies or the violation of any other College policies through the use of the email system.

#### **Email Review**

All email is subject to review by management. Employee's use of the email system grants the College consent to the review of any messages to or from you in the system, in printed form or in any other medium.

Periodically, employee use of the network, email and other communications systems may be monitored. Violations of Galveston College policies detected through such monitoring can lead to disciplinary action, up to and including termination.

### **Harassment**

Foul, inappropriate or offensive messages, such as racial, sexual or religious slurs are prohibited in email. Violation of this policy will lead to discipline which may include termination. Email messages are considered to be business records of the College. Accordingly, they may be used in administrative, judicial, or other proceedings. Email messages may be subject to the Open Records Act.

The use of email and Internet access may only be used by authorized personnel. If you have not been issued an E-mail/Internet address, you may not use the facility. Employees are not to use unauthorized codes, passwords or other means to gain access to email belonging to others. Employees shall not disclose their codes or passwords to others.

Any questions regarding this policy should be directed to your supervisor prior to your use of electronic communications. Access authorizations will be established by the information services department. Use of Galveston College computing and telecommunications facilities constitutes your acceptance of the Galveston College policy.

### **3.23 INTENTIONAL COMPUTER CORRUPTION POLICY**

Actions will be taken against an employee who intentionally corrupts Galveston College computer systems. This policy includes, but is not limited to; mainframes, personal computers, electronic mail systems, electronic commerce, electronic bulletin boards, and both intra and inter enterprise communications. An employee who misuses these computer systems may have his/her communications privileges revoked and is subject to disciplinary measures, up to and including termination and penalties under the laws of the State of Texas.

Examples of misuse, attempting to misappropriate or damage computing resources includes but is not limited to: the willful infection of systems by a computer virus; intentional corruption of Galveston College computer information; use for unlawful purposes or non-College commercial purposes; unauthorized removal of College documents; advocacy of religious, social or political causes; and use of threatening, harassing, obscene or abusive language. Employees will be held responsible for any viruses that were downloaded from the Internet, or any other type of infection that occurs because of misuse of College systems.

Relevant communications and documents shall be preserved (including those stored electronically) in the event of pending or reasonably anticipated litigation, an investigation by a federal agency or department or any bankruptcy case, or a public information request. CIA Local

### **Discipline**

Employees may be disciplined up to and including termination for violations, as well as being subject to criminal charges under Texas Penal codes 33.01, 33.02 and 33.03. Employees will be held responsible for any viruses downloaded from the Internet, or any other type of infection that occurs because of misuse of College systems.

Any questions regarding this policy should be directed to your supervisor prior to your use of electronic communications or computer systems. The use of such systems constitutes your acceptance of Galveston College policies and the laws set by the State of Texas.

### **3.24 SMOKING**

For the health of all employees, students, and visitors, all forms of smoking, including electronic cigarettes, are prohibited in all facilities owned or leased by Galveston College, including buildings, grounds and

vehicles. Employees are encouraged to remind visitors to the campus who violate this policy that Galveston College is a no smoking facility. Tobacco sales are prohibited on any Galveston College campus or at Galveston College-sponsored events.

Signs conveying this policy will be posted conspicuously on building entrance doors and in lobbies, elevators restrooms and other areas of public access.

Appropriate disciplinary action, up to and including termination or dismissal, will be taken against any faculty, staff member, or student found to be in violation of this policy. Supervisors may recommend that an employee attend a smoking cessation program.

Campus Security will ask visitors to any Galveston College campus to extinguish their smoking materials or leave the campus.

Faculty and staff are responsible for enforcing this policy. Administrators of off campus facilities are responsible for enforcing this policy for all Galveston College employees, students and visitors.

Galveston College is committed to providing a healthful environment for students, employees, and campus visitors. Smoking on College property is a violation of the fire code and punishable by law. Smoking is prohibited in classrooms, offices, restrooms, stairwells, buildings, vehicles or on any College grounds. DI Legal, DI Local

### **3.25 DRUG/ALCOHOL FREE WORKPLACE**

In compliance with the Drug Free Workplace Act of 1988, it is the policy and intent of Galveston College to maintain a drug and alcohol-free working environment for its students and employees.

1) The College prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, alcohol, and any other intoxicant in the workplace or while conducting College business.

2) Employees are required to report for work or classes on time and in appropriate mental and physical condition for work.

3) The College recognizes drug and alcohol dependency as an illness and a major health problem. Employees needing assistance with drug or alcohol addictions are encouraged to seek help, either through their own resources or the College's Employee Assistance Program.

4) Employees must, as a condition of employment, abide by the terms of this policy. Employees who violate this policy shall be subject to disciplinary actions. Such actions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the College, and referral to appropriate law enforcement officials for prosecution. 41 U.S.C. 702(a)(1)(A); 28 TAC 169.2

5) As a further condition of employment, an employee shall notify the College President of any criminal drug statute conviction for a violation no later than five days after such conviction. Within ten days of receiving such notice from the employee or any other source the College is required to notify any applicable granting agency of the conviction. 41 U.S.C. 702(a)(1)(D)

6) Within 30 calendar days of receiving notice from an employee of a conviction for any drug statute violation, the College shall either (1) take appropriate personnel action against the employee, up to and including termination of employment, or (2) require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. 41 U.S.C. 703, DI Legal

#### **Drug/Alcohol Testing**

The College District may conduct drug tests, without a warrant and without individualized suspicion, when the test serves special governmental needs that outweigh the individual's privacy expectation.

The College District shall conduct testing, in accordance with federal regulations, of commercial motor vehicle operators for use of alcohol or a controlled substance of every employee of the College District who

operates a commercial motor vehicle and is subject to commercial driver's license requirements in accordance with federal regulations. DHB Legal

### **Searches**

The College District may search an employee or an employee's property if: There are reasonable grounds to believe that the search will turn up evidence that the employee is guilty of work-related misconduct; and the search is reasonably related in scope to the circumstances that justified the interference in the first place. In addition, the College District may search an employee's workplace for non-investigatory, work-related purposes, or if there are reasonable grounds to believe that the search will turn up evidence that the employee is guilty of work-related misconduct. DHB Legal

## **SOURCES FOR INFORMATION ON ILLEGAL DRUGS**

### **Commonly Abused Drugs**

<http://www.nida.nih.gov/drugsofabuse.html>

### **Federal Trafficking Penalties**

<http://www.usdoj.gov/dea/agency/penalties.htm>

### **Comparative Pharmacological Profiles of Abused Drugs**

<http://www.tcada.state.tx.us/research/slang/compare98.pdf> DI Legal

## **3.26 SEX OFFENDERS**

Any employee who is required to register under Chapter 62, Code of Criminal Procedure, shall report that fact to the Director of Facilities & Security no later than the seventh day after the date on which they begin work at Galveston College.

The employee described above shall provide the Director of Facilities & Security all information the employee is required to provide under Code of Criminal Procedure Section 62.02(b). The employee shall notify the Director of Facilities & Security not later than the seventh day after the date of termination of his/her status as a worker at the College.

The Director of Facilities & Security shall promptly forward to the administrative office of the College any information received from the person under Code of Criminal Procedure Section 62.064 and any information received from the department under Code of Criminal Procedure Section 62.08. Failure to follow this procedure will result in immediate termination of employment. DH Legal

## **CHAPTER 4- PERFORMANCE MANAGEMENT**

### **4.01 ATTENDANCE**

Each employee has a responsibility to be on the job at the prescribed time every day. Each employee has an important designated job to perform and unexpected absences disrupt the operation of the College. Uniform enforcement of a reasonable absence-control rule is not retaliatory discharge. DEC Legal

#### **Excused Absences**

An absence will be considered excused only when the employee notifies his/her immediate supervisor prior to the absence and receives approval for the absence. Full-time employees must submit an online Leave Request reporting the actual hours he/she is absent and/or requesting sick, vacation, or personal leave. The supervisor must approve the Leave Request in ADP. If the Leave Request is submitted after the pay cycle has closed, a paper Leave slip must be approved by the supervisor and submitted to payroll. Payroll will enter the hours used, and retain the slip in the employee's file. For absences of five (5) days or more, the employee must provide medical documentation and begin the FMLA process.

Supervisors are responsible for maintaining accurate and current records of all leaves taken by employees under his/her supervision. Supervisors shall not approve leave time that exceeds the employee's accrued balance. Once leave hours have been exhausted, the employee may be charged for time-off without pay.

Failure to submit accurately documented Leave Requests for absences and/or claiming sick or emergency leave under false or misleading pretenses is falsification of the College's employee time records. It is the goal of the College to accurately maintain all College business records. Chronic excused and unpaid absences affect the work environment and may result in disciplinary action.

#### **Unexcused Absences**

Except in an emergency, an unexcused absence occurs when an employee fails to notify the supervisor of an absence prior to the scheduled starting time, and/or permission is not granted by the supervisor. Excessive unexcused absences may result in disciplinary action. Failure to provide notification of absence from work for three (3) work days, except in an emergency, shall be considered a voluntary termination of employment.

#### **Tardiness**

Tardiness occurs when an employee is late arriving to work. Failure to notify the supervisor within one (1) hour after starting time is considered an unexcused absence. Excessive tardiness may result in disciplinary action.

### **4.02 MANDATORY ATTENDANCE**

Attendance at general assembly is mandatory for all full-time employees of Galveston College (classified, professional/technical, administrative and faculty). Attendance at graduation is mandatory for all professional/technical, administrative and full-time faculty employees.

### **4.03 PERFORMANCE EVALUATION OVERVIEW**

The President of the College shall develop appropriate evaluation procedures for all College employees. Participation in such periodic evaluations shall be a condition of employment for all employees.

The primary objective of the College Performance Evaluation process is to promote effective job performance, to maximize employee potential and to ensure that individual performance goals are linked and focused on the College's Strategic Plan.

The purpose of the performance evaluation process is to provide open and honest communication to the employee concerning his/her effectiveness on the job by: providing a forum for establishing goals and objectives for each employee, and subsequently discussing and documenting the employee's performance

in relation to their job requirements; establishing a means for informing an employee on how well he/she is doing with respect to job expectations as well as praising good performance; and providing an opportunity to discuss problem areas, suggest needed changes in behavior, attitudes, skills, or job knowledge, and arriving at mutually agreed upon plans for development.

### **Employees**

The employee should prepare for the performance evaluation session by reviewing the past year's accomplishments and identifying his/her own strengths and weaknesses. During the session, the employee should discuss the performance evaluation with the supervisor and sign the evaluation form. The employee's signature indicates that the rating has been discussed and a copy has been provided but does not necessarily indicate concurrence with the rating.

### **Supervisors**

Supervisors should conduct performance evaluations with each employee individually. When appropriate, means for improvement should be suggested and any questions the employee may have concerning assignment, work methods, or performance should be clarified. At this time, goals from the prior period are reviewed and goals for the next rating period are established.

At the session, the employee will be provided a copy of the evaluation form. The supervisor should then forward the original form to the Human Resources Department where it will become part of the employee's official personnel record. Copies may be filed in the department, as well, for comparative purposes during each yearly evaluation session. After the employee has signed the form no further entries are to be made on the form.

### **Corrective Action**

The College recognizes its responsibility to communicate to employees the expectations of job related behavior and performance. It is the employee's responsibility to meet expected standards of performance and behavior. The corrective process has been established as a constructive means of dealing with unacceptable behavior or performance deficiencies on the part of the employee. Employees are disciplined in accordance with the provisions of the Administrative Procedure-Corrective Action.

## **4.04 NON FACULTY PERFORMANCE EVALUATION PROCEDURE**

### **Classified, Administrative, Professional and Technical Employees**

The performance of each full-time employee will be evaluated annually (January-December), and given no later than the end of February of the following year. Written records of all evaluations will become a part of the employee's personnel file. Supervisors should utilize the applicable Performance Evaluation form. After the employee has signed the form no further entries are to be made. The original completed and signed evaluation form is to be sent to the Human Resources Department to be placed in the employee's permanent file no later than March 1st of the following year. Copies may be retained in the department for comparative purposes during each yearly evaluation session.

## **4.05 FACULTY PERFORMANCE EVALUATION PROCEDURES**

The evaluation of faculty addresses teaching and learning, professional development, collegiality, student success, program success, and service (activities outside of the classroom and ancillary duties). Student evaluations, supervisor's classroom observation, professional development plan, the faculty self-evaluation, professional portfolio (including student learning outcomes reports), and institutional data regarding student success and/or program success will assist in documenting these components. The process will culminate in a supervisor's evaluation of the faculty member and an evaluation conference. For a full description of the Faculty Evaluation process refer to the Faculty Evaluation forms posted on the College's intranet site.



#### **4.06 ACADEMIC FREEDOM AND RESPONSIBILITY**

Institutions of higher education are conducted for the common good. The following statements rest upon the belief that the common good depends upon a free search for truth and its free expression without intent to do personal harm.

Each faculty member is entitled to freedom in discussing the subject which he/she teaches. Limitations to this basic statement exist only within bounds of common decency and good taste. Each faculty member is also entitled to speak or write as a citizen of his/her nation, state, and community without fear of institutional censorship or discipline.

The concept of academic freedom must be accompanied by an equally demanding concept of responsibility, shared by the Board of Regents, administration, and faculty members.

The fundamental responsibilities of a faculty member as a teacher and scholar include maintenance of competence in his/her field of specialization and the exhibition of such competency in lectures, discussions, and publications.

Exercise of professional integrity by a faculty member includes recognition that the public will judge his/her profession and his/her institution by his/her statements. Therefore, he/she should strive to be accurate, to exercise appropriate restraint, to show respect for the opinion of others, and to avoid creating the impression that he/she speaks or acts for his/her college when he/she speaks or acts as a private person.

A faculty member should be selective in the use of controversial material in the classroom and should introduce such material only as it has a clear relationship to his/her subject field.

The responsibilities of faculty members arise from their involvement with students, from their professional roles, from their role in educational affairs and participation in governance, and from their institutional relationship with the institution.

##### **A. Student-Related Responsibilities**

1. Responsibility to deal seriously and conscientiously with the teaching assignment, including careful planning of courses, preparation of lectures, regularity in meeting scheduled classes, clearly informing students of course requirements, and fair and impartial grading according to standards established by the institution.
2. Recognition that students deserve respect as individuals and have certain rights that must be protected. This encompasses an active interest in individual academic and personal problems of students, the giving of mature professional advice, courteous treatment of students in class, and keeping in confidence personal information about students that may come to the faculty member's attention in his/her role as advisor or counselor.
3. Recognition that the faculty member serves as a model and exercises a great influence in shaping the individual. This being true, he/she must try to set a high standard in academic and scholarly excellence, personal integrity, and professional ethics.
4. Recognition that in one's influential classroom role a person is morally bound not to take advantage of his/her position by repeatedly introducing into his/her classes discussions of subject matter outside the scope of the course and not within his/her field of professional competence.

##### **B. Professional Responsibilities**

1. Special responsibility to keep current with developing knowledge in his/her academic discipline through familiarity with recent publications and journals and participation in local or national professional societies and meetings where appropriate.
2. Responsibility to seek ways of improving his/her effectiveness as a teacher, exploring new ways of presenting academic subject matter, motivating students, and improving methods of evaluating student performance.
3. Responsibility to assist faculty colleagues in academic and college activities including:
  - a. Contributing to curriculum studies.

- b. Participating in divisional and general faculty meetings for the better operation and strengthening of the educational programs of the institution.
  - c. Carrying a fair share of the burden of special faculty committee assignments, including participation in such bodies as curriculum committees and club sponsorships as well as sharing in joint faculty responsibilities such as registration, advising or counseling, and examination proctoring.
4. Responsibility to exercise an active role in protecting and enhancing the academic and professional standing of the faculty by:
- a. Assisting with recruitment of competent new faculty members.
  - b. Giving appropriate recommendations regarding promotion for able faculty colleagues.
  - c. Recommending the removal of colleagues who, after a fair hearing, have been found to be incompetent, guilty of moral turpitude or gross misconduct, or lacking in personal or professional integrity.
5. Responsibility to demonstrate respect for the right of others in the College District community to hold divergent opinions, including other faculty members, students, administrators, and staff.

### **C. Responsibilities in Educational Affairs and Governance**

The Faculty of the College shall maintain ultimate responsibility for the assurance of quality for current instructional programs. In addition, the Faculty through leadership and participation in the College's Standing Committees maintain ultimate responsibility for the development of new instructional initiatives and/or the enhancement of current efforts.

The Faculty shall maintain this responsibility through professional obligation and institutional procedure. The Faculty are also charged with providing input and guidance to a variety of educational affairs including, but not limited to educational policies. The Faculty will accomplish these responsibilities through three distinct processes:

1. First, each faculty member is required to participate in the program area and divisional structure. All curricular changes and initiatives begin with Faculty input through program area and divisional meetings which are convened by the appropriate Chair, Program Coordinator, Administrative Coordinator, and/or Director. These recommendations are subsequently forwarded to the Curriculum Committee where changes in academic and student support processes may be made.
2. Secondly, each member of the Faculty is expected to participate in one or more of the College's Standing Committees. Through leadership and participation in the College's governance structure through the College's Standing Committees, the Faculty have opportunity to influence and/or develop institutional policy and are involved in almost every aspect of the operation and governance of the College.
3. The third method for participation by Faculty in educational affairs and governance of the College is through participation in the Faculty Council. The Faculty Council addresses issues specifically related to the faculty.

### **D. Responsibilities to the Institution**

1. To conscientiously fulfill all the contractual obligations for the period of time agreed and that he/she will give the institution reasonable notice when resigning.
2. To make conscientious use of the funds of the institution entrusted to his/her care, such as those allocated to budgets of academic divisions or special projects.
3. To make every effort to avoid professional and personal actions which may cause economic loss or legal embarrassment to his/her institution.
4. To give reasonable support to institutional activities.
5. To commit himself/herself to a reasonable amount of service on college committees.
6. When making a public statement of his/her views, to indicate clearly that he/she does not speak as a representative of the institution but as an independent scholar and citizen. DGC Local

#### **4.07 CODE OF PROFESSIONAL ETHICS**

It is the policy of Galveston College to apply the highest ethical standards to all members of the College community including the Board of Regents, administration, staff, and faculty in achieving its mission, and in managing its resources efficiently and effectively to reach its goals and objectives. In order to adequately express the affirmation of our professional responsibilities, the employees of Galveston College hold ourselves and each other, subject to the following Code of Professional Ethics: DH Local

1. We shall treat all persons with respect, dignity, and justice, discriminating against no one on any arbitrary basis such as ethnicity, creed, gender, disability, social station, or age;
2. We shall strive to help each student realize his or her full potential as a learner, a scholar, and as a human being;
3. We shall by example and action encourage and defend the unfettered pursuit of truth by both colleagues\* and students supporting the free exchange of ideas, observing the highest standards of academic honesty, integrity, and seeking always an attitude of scholarly objectivity and tolerance of other viewpoints;
4. We, recognizing the necessity of many roles in the educational enterprise, shall work in such a manner as to enhance cooperation and collegiality among students, faculty, administrators, and non-academic personnel;
5. We shall recognize and preserve the confidential nature of professional relationships, neither disclosing nor encouraging the disclosure of information or rumor which might damage or embarrass or violate the privacy of any other person;
6. We shall maintain competence through continued professional development, shall demonstrate that competence through consistently adequate preparation and performance, and shall seek to enhance that competence by accepting and appropriating constructive criticism and evaluation;
7. We shall exercise the highest professional standards and shall make the most judicious and effective use of the college's time and resources;
8. We, recognizing the needs and rights of others as embodied in the institution, shall fulfill the employment agreement both in spirit and in fact, shall give reasonable notice upon resignation, and shall neither accept tasks for which we are not qualified, nor assign tasks to unqualified persons;
9. We shall support the goals and ideals of the institution and shall act in public and private affairs in such a manner as to bring credit to the institution;
10. We shall not engage in sexual harassment of students or colleagues and shall adhere to the College's policy that prohibits sexual misconduct;
11. We shall observe the stated policies and procedures of the College, reserving the right to seek revision in a judicious and appropriate manner;
12. We shall participate in the governance of the College by accepting a fair share of committee and institutional responsibilities;
13. We shall support the right of all to academic freedom and due process, and defend and assist those accused of wrongdoing, incompetence, or other serious offense so long as the individual's innocence may reasonably be maintained;
14. We shall not support a colleague or an individual who is known to be persistently unethical or professionally incompetent;
15. We shall accept all the rights and responsibilities of citizenship, including participation in the formulation of public policy, always avoiding use of the privileges of his or her public position for private or partisan advantage.

\*In this code the term "colleague" refers to administrators, teachers, nonacademic personnel, and any other persons employed by the College in the educational enterprise. Reference: TCCTA, 1997.

#### **Financial Ethics**

All Regents, employees, vendors, contractors, consultants, volunteers, and any other parties who are involved in the College District's financial transactions shall act with integrity and diligence in duties

involving the College District's fiscal resources. The College District prohibits fraud and financial impropriety, as defined below, in the actions of its Regents, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with the College District. Fraud and financial impropriety shall include but not be limited to: CDE Local

1. Forgery or unauthorized alteration of any document or account belonging to the College District;
2. Forgery or unauthorized alteration of a check, bank draft, or any other financial document;
3. Misappropriation of funds, securities, supplies, or other College District assets, including employee time;
4. Impropriety in the handling of money or reporting of College District financial transactions;
5. Profiteering as a result of insider knowledge of College District information or activities;
6. Unauthorized disclosure of confidential or proprietary information to outside parties;
7. Unauthorized disclosure of investment activities engaged in or contemplated by the College District;
8. Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the College District, except as otherwise provided;
9. Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment;
10. Failing to provide financial records required by state or local entities;
11. Failure to disclose conflicts of interest as required by law or College District policy;
12. Any other dishonest act regarding the finances of the College District.

Any person who suspects fraud or financial impropriety in the College District shall report the suspicions immediately to any supervisor, the College President or designee, the Board Chairman, or local law enforcement. Reports of suspected fraud or financial impropriety shall be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with law. All employees involved in an investigation shall be advised to keep information about the investigation confidential. Neither the Board nor any College District employee shall unlawfully retaliate against a person who in good faith reports perceived fraud or financial impropriety.

If an employee is found to have committed fraud or financial impropriety, the College President or designee shall take or recommend appropriate disciplinary action, which may include termination of employment. If a contractor or vendor is found to have committed fraud or financial impropriety, the College District shall take appropriate action, which may include cancellation of the College District's relationship with the contractor or vendor. When circumstances warrant, the Board, College President, or designee may refer matters to appropriate law enforcement or regulatory authorities.

#### **4.08 CONDUCT AND WORK PERFORMANCE**

It is each employee's responsibility to follow the College policies, procedures and job performance standards in carrying out his or her job duties. Violations of College policies or procedures, or inadequate job performance may result in disciplinary action as the College deems appropriate. The following is a list of acts that may result in disciplinary actions up to and including termination of employment of any employee, including faculty on tenure status or probationary contracts: DMAA Local

- 1) Repeated failure to perform assigned duties or contractual obligations. (e.g. Insubordination, the refusal to comply with instructions, or the failure or refusal to perform assigned duties);
- 2) Conviction of a felony;
- 3) Professional incompetence (e.g. unsatisfactory job performance; inability to perform job duties; or neglect of duty);
- 4) Loss of capability for effective performance of assigned duties through excessive use of alcohol or drugs (e.g. violation of the College's Drug/Alcohol Free Workplace Policy);
- 5) Failure to achieve prescribed professional growth or development;
- 6) Theft, misuse or abuse of College property (e.g. dishonest or fraudulent conduct, including but not limited to fraud, theft, misappropriation of, or unauthorized removal of the College's or fellow employees' funds or property);

- 7) Misappropriation of College funds;
- 8) Inability or refusal to adjust to College organization, its rules and regulations, or failure to comply with Board policy, administrative directives and/or administrative procedures (e.g. violation of the College's policies regarding confidential information and conflicts of interest, or any conduct which is in conflict with the College's standards of appropriate business and professional ethics; unauthorized solicitation of money, goods or services from the public by an employee of the College; improper or unauthorized use of College vehicles, equipment, or property; violation of workplace safety procedures);
- 9) Insubordination;
- 10) Falsification or deliberate omission of pertinent information on official College transcripts or other official records (e.g. College's business records, including but not limited to internal investigations, employee time records, expense reports, and requests for reimbursement or any other information required by the College; claim of sick or emergency leave under false or misleading pretenses; not reporting to work from illness or injury when released from the doctor or tampering with such release; working another job while receiving sick leave or workers' compensation injury benefits);
- 11) Falsification or deliberate omission of pertinent information in obtaining employment;
- 12) Failure to apply professional standards in grading student examinations and/or assignments;
- 13) Sexual harassment/ any form of discrimination (physical violence or threats of violence, or insulting, intimidating, coercive, abusive or obscene language or gestures toward the public, College officers or other employees; any conduct contrary to the College's equal employment opportunity policy, including verbal or physical conduct constituting sexual or other prohibited harassment);
- 14) Inexcusable neglect of duty, including but not limited to, failure to meet assigned classes (habitual absenteeism or tardiness) and/or failure to assume required committee assignments;
- 15) Behavior that causes a discredit to the College (including social media postings);
- 16) Financial exigency;
- 17) Violation of conditions stipulated in the employment contract;
- 18) Failure to actively and successfully recruit for a program or activity, as required;
- 19) The inability or unwillingness to cooperate with other employees, students and/or the public when performing assigned tasks (including rude or disrespectful behavior).

#### **4.09 AMOROUS/ CONSENSUAL RELATIONSHIPS**

Recognizing everyone's right to privacy and free association, Galveston College does not prohibit fully consensual amorous relationships with the exceptions of those noted below.

Employees and students must realize that even consensual amorous relationships may lead to sexual harassment or other breaches of professional obligations, particularly if one of the individuals in the relationship has a professional responsibility toward the other, such as in the context of instruction, advisement or supervision. As a result of the power difference, it may be difficult to avoid the appearance of favoritism or to assure a truly consensual relationship.

Amorous relationships may result in conduct that amounts to sexual harassment or that violates the professional duties of evenhanded treatment and maintenance of an atmosphere conducive to learning or working. Others may be affected by the relationship in that it places the faculty member or supervisor in a position to favor or advance one student or employee's interest at the expense of others.

No faculty member shall have an amorous relationship (consensual or otherwise) with a student who is enrolled in a course being taught by the faculty member or when academic work is being supervised by the faculty member or when that faculty member has or is likely to have academic responsibility over that student at any time during that student's tenure at Galveston College.

No person in a supervisory position shall have romantic or sexual relationship with anyone that he or she supervises. Complaints concerning consensual relationships by non-participating individuals will be treated as third-party sexual harassment or sexual misconduct complaints and be reported to the Director of Human Resources.

Reporting Requirements- It is the responsibility of both parties involved, if an amorous/ consensual relationship develops, either separately or together, to inform the Director of Human Resources that such a relationship exists. In such cases, the College will discuss whether the supervisor/subordinate relationship will be changed or what other arrangements will be made to further the best interests of both the College and the employees involved.

#### **4.10 DRESS AND PERSONAL HYGIENE**

All College employees are expected to dress in a professional manner that shows a high level of discretion and taste. Clothing should be clean, neat and not distracting or offensive to others. Uniforms may be required for some departments. All employees are required to have a College issued identification badge. Employees are permitted to wear clean and well maintained blue jeans on casual Fridays (the last work day of the week).

College employees are also required to maintain good personal hygiene. To prevent the transmission of microorganisms and the spread of infectious disease employees are also required to practice frequent and thorough hand washing.

#### **4.11 DISCIPLINARY ACTION**

The College will take disciplinary action against an employee who violates any of the College's policies or procedures or otherwise has employment or performance problems.

In order to provide a framework that will allow for consistency and maximize an employee's opportunity to improve performance or behavior, the following types of corrective action have been established: counseling; written reprimand; suspension without pay; decision making leave; reassignment (including demotion); and termination.

Galveston College does not have a progressive disciplinary policy; the nature and level of severity of performance determines which level of corrective action is appropriate. The above levels are recommended step sequences; however the procedures do not dictate that levels must be followed sequentially. The Director of Human Resources is available to assist supervisors and managers in the corrective action process.

##### **Counseling Session**

When a performance and/or behavior issue arises, the seriousness and immediacy of the problem should dictate what corrective action the supervisor should take. An informal approach is the Counseling Session. This is a verbal conversation with the employee covering the following elements: a) an identification of the problem(s) with the employee's performance or behavior b) a specific measure of acceptable levels of performance and behavior that should be met c) indication that the counseling session is verbal and d) if improvements are not achieved, the next step will involve a formal written reprimand. Counseling sessions are not subject to a grievance procedure.

##### **Written Reprimand**

A written reprimand is a formal conference between the supervisor and employee about a discipline or performance problem and written documentation is provided to the employee and is made part of the employee's permanent record. The conference covers the problems, the seriousness of the performance and/or behavior problem. This step is appropriate for a more serious problem or issue.

The written reprimand may include: a statement of the problem(s); the standards the employee should meet to correct the problem(s); and indicate the consequences of non-compliance, such as further disciplinary action up to and including termination.

The employee should be directed to sign the reprimand, signifying that it has been received. An optional electronic copy may be sent to the employee to further document receipt when needed. The original paper

copy should be forwarded to the Department of Human Resources to be placed in the employee's permanent personnel file.

### **Suspension**

An employee may be suspended without pay for a period of up to ten days. A suspension should be documented as outlined in the above section, with the original document placed in the employee's permanent personnel file.

The decision to suspend an employee should be reviewed with the Director of Human Resources and appropriate Department Director.

### **Reassignment - Including Demotion**

An employee may be reassigned to duties other than his/her position or may be relieved of some or all duties of that position by his/her Department Head as a result of corrective action. Such reassignment may result in movement from a higher salary grade to a lower salary grade and reduction in pay. Such action should follow prescribed documentation and approval levels described above. The College is not obligated to consider reassignment or demotion and such decisions are based solely on the College's operational needs.

Contractual employees who are demoted during the term of the contract shall be given written notice and may utilize the College Grievance Procedure. If an employee is demoted to a position assigned to a lower pay grade, the employee's pay will remain the same for a period of at least 90 days. Following the 90 day period, the College President may extend this period of time or approve exceptions to this procedure. If an employee applies and is selected for a position at a lower grade, it is considered to be at the request of the employee. In these situations the employee's pay will be set at the minimum of the new pay grade and criteria for initial hire will be used to calculate the appropriate rate. The employee's years of service at Galveston College, applicable to the new position, will be considered and may be added to the initial placement.

If the employee is at the maximum pay rate for the new position, his/her salary will remain at the maximum rate for the new position and the employee will not be eligible for increases unless the pay rate for the position, through a salary schedule adjustment, exceeds the employee's rate of pay.

### **Decision Making Leave**

If the performance and/or behavior cited in the previous steps have not been corrected within 30 to 60 days of the reprimand and/or suspension, the supervisor may exercise the use of the decision making process. A decision making leave should be approved by the appropriate Department Head and the Director of Human Resources.

The employee is called to a formal conference with his/her supervisor about the continuing unacceptable behavior and/or performance.

The employee is directed to give serious thought whether he/she wishes to remain employed with Galveston College. The employee is reminded about previous attempts at corrective action and that the employee should commit to immediate, meaningful and sustained changes if employment is to be continued.

The employee is sent home with pay for 24 hours in order to evaluate his/her future with the College and advised that if he/she does not return from decision-making leave, the departure will be recorded as a voluntary resignation.

The supervisor documents the formal conference and the decision-making leave and gives copies to the employee, the Department Director and forwards the original memo to the Department of Human Resources.

## **Termination**

Termination may be the last step in the process of Corrective Action and depending upon the nature and severity of the behavior and/or performance may occur without prior corrective action. Any employee may be dismissed for good cause before the completion of the term fixed in his or her contract. DMAA Legal, DMAA Local

### **4.12 PROBLEM RESOLUTION METHODS**

The College is committed to providing a work environment that encourages an open atmosphere in which complaints are answered quickly by supervisors and managers. The Administrative Review/Grievance process resolves specific concerns relating to employment.

If an employee has a work-related complaint or a concern that needs resolving, it should be discussed with the supervisor at the earliest opportunity since only by discussion will the administrator become aware of conditions that are creating dissatisfaction. If the employee believes the matter has not been resolved at this level, the employee may take the matter to the next higher administrator. The Director of Human Resources is always willing to listen and suggest means of solving the problem.

Formal procedures are in place for solving work-related concerns. They are the Administrative Review and the Grievance Process.

This process does not replace the routes established to raise specific allegations of discrimination in employment based upon race, religion, national origin, sex, age, or handicapping condition or allegations of harassment. Complaints that contain such allegations shall be brought forth following the procedures described in the “Working Conditions” section of this handbook.

Neither the Board nor any College employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

### **Administrative Review**

If an employee believes that a condition of employment or decision affecting him/her is unjust or inequitable, the employee shall express his/her complaint through the Administrative Review Process.

The Administrative Review Procedure (Section 4.13) is available to all College employees both full-time, part-time, and adjunct faculty. It is not applicable to terminated employees. Terminated employees should utilize the Grievance Procedure Section 4.14 of this Handbook. Temporary or seasonal employees with a fixed term of employment are not eligible to access the Administrative Review Procedures.

### **Grievance**

A grievance is a formal complaint that alleges some harm has been done to an employee by the action or inaction of another College employee or the College Board. A grievance may be initiated only after the Administrative Review Process has been exhausted (the Administrative Review Process is not applicable to terminated employees). The Grievance Procedure (Section 4.14) is available to full-time College employees only. An individual employee’s wages, hours, or conditions of work may be the subject of a grievance. The grievance must establish the individual harm experienced and the resolution requested. Grievances may fall within the following categories:

- 1) A violation of an individual’s contract and/or Board policy
- 2) A violation of state or federal laws
- 3) A violation of customary and/or past practice
- 4) A violation of a sense of ethics or fairness
- 5) An interference with professional performance

No reprisals or retaliation of any kind shall be taken at any level against the employee filing a grievance.



#### **4.13 ADMINISTRATIVE REVIEW PROCEDURE**

An active employee who makes it known he/she believes there is justifiable grounds for complaint should go to his/her immediate supervisor. The supervisor should focus on gathering as many facts as possible, and helping the employee clear up any misperceptions that may exist with the goal of reaching an amicable resolution.

If the employee is not satisfied with the disposition of the complaint by his/her immediate supervisor, the employee may direct the complaint in writing to the Dean or Department Director. The Dean or Department Director shall set an administrative review meeting with the employee.

If the employee is not satisfied with the disposition of the complaint by the Dean or Department Director, the employee may initiate the Grievance Procedure. **The Administrative Review process does not extend the 90 day timeline within which to file a grievance.**

No record or any part of the administrative review procedure should be made part of the employee's personnel file, unless specifically requested by the employee. However, the supervisor and the administrative officer should forward documentation available regarding discussions held with the employee, what steps were taken to investigate the complaint, how decisions were determined, etc. to the Director of Human Resources.

#### **4.14 GRIEVANCE PROCEDURE**

The Grievance Procedure is available to full-time College employees only. A grievance may be initiated only after the Administrative Review Process has been exhausted by an employee. The Administrative Review Process is not applicable to terminated employees. Terminated employees should utilize the Grievance Procedure. The Grievance Procedure (Section 4.14) is available to full-time College employees only. All grievances arising out of an event or related series of events must be addressed in one grievance. An employee is precluded from bringing separate or serial grievances concerning issues that have previously been grieved or brought as a complaint. The grievance must detail the pertinent facts relevant to the problem, actions taken to date and specific references to the rights the grievant believes have been violated.

(a) A public employee must initiate action under the College grievance process, relating to suspension or termination of employment or adverse personnel action, not later than the 90<sup>th</sup> day after the date on which the alleged violation occurred or was discovered.

(b) If a final decision is not rendered before the 61<sup>st</sup> day after the date procedures are initiated the employee may elect to:

- 1) terminate the grievance procedure;
- 2) exhaust the grievance procedure after which the employee must sue not later than the 30<sup>th</sup> day after the date those procedures are exhausted;
- 3) terminate the grievance procedure in which event the employee must sue within the time remaining, to the 90<sup>th</sup> day of the initial action.

Texas Government Code § 554.005, § 554.006 and DG Legal

The employee filing a grievance or any employee who is the subject of a grievance may be represented at his/her own expense by a fellow employee, attorney, or other person or organization. DGBA Legal

The College should meet with employees (and, if applicable, designated representatives) at reasonable times and places to hear grievances concerning wages, hours of work, and conditions of work. The right to present grievances is satisfied if employees have access to those in a position of authority to air their grievances. However, that authority is under no legal compulsion to take action to rectify the matter. DGBA Legal

A college may not by contract, policy, or procedure restrict a faculty member's right to present a grievance under Education Code 51.960.

The Board designates the Director of Human Resources as the person to whom a faculty member may present a grievance on an issue related to his or her dismissal. DMAA Local

"Faculty member" means a person employed full time by a college district as a member of the College's faculty, including professional librarians, whose duties include teaching, research, administration, or the performance of professional services. The term does not include a person who holds faculty rank but who spends the majority of the person's time for the College engaged in managerial or supervisory activities, including a chancellor, vice chancellor, president, vice president, provost, associate or assistant provost, dean, or associate or assistant dean.

### **Grievance Process Level One**

The formal grievance must be submitted to the appropriate Vice President in writing and must include the following:

1. All pertinent facts related to the problem;
2. Any actions taken to date; and
3. Specific references to the rights that the employee believes have been violated.

The appropriate Vice President shall meet with the employee within five business days of receipt of the employee's grievance.

After the meeting, the appropriate Vice President will conduct whatever investigation is necessary and render a decision in writing to the employee within five business days of the meeting.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted unless the employee did not know the documents existed before the Level One conference.

### **Grievance Process Level Two**

If the aggrieved employee is dissatisfied with the Vice President's response, he/she must, within five business days of receipt of the response, submit a written request to the Director of Human Resources for a review by the President. This request shall state the nature of and basis for his/her dissatisfaction with the decision or action taken by the Vice President.

### **Grievance Process Level Three**

The College President shall meet with the employee within five business days of receipt of the employee's grievance. The President will review the records of the grievance, conduct such further investigation as he/she may deem appropriate, and within ten business days of the meeting provide a written decision to the employee, with copies to the Vice President and the Director of Human Resources.

### **Review by the Board of Regents**

If the aggrieved employee is dissatisfied with the President's response, he/she may submit within five business days a written request to the College President or designee for a review by the Board of Regents at a future Board meeting. BD Local

The grievance may be included as an item on the agenda posted with notice of the meeting. Posting constitutes communication of the date and time to the aggrieved.

The formal grievance shall be heard in executive session unless the employee requests it to be heard in open session. However, if the grievance involves complaints or charges about another employee, it will be heard in executive session unless the employee against whom the grievance was filed requests it to be heard in open session.

The presiding officer shall determine a reasonable time for presentation of the grievance. There is no requirement that the Board negotiates or even responds to complaints. However, the Board must stop, look, and listen and must consider the petition, address, or remonstrance. DGBA Legal

**Timelines**

The time limits specified in this procedure are intended to encourage timely and prompt resolution of all complaints. However, time lines for filing a complaint, grievance or appeal may be amended by mutual consent.

**4.15 STOPPING THE GRIEVANCE PROCEDURE**

The employee who has filed the grievance shall be able to stop the grievance procedure either by action or inaction. The grievance procedure shall be stopped if:

- 1) The employee indicates he or she is satisfied with the action to resolve the grievance at and level of the grievance procedure;
- 2) The employee, for any reason, indicates a desire not to continue the grievance procedure; or
- 3) The employee fails to take action to continue with the next step of the procedure within the applicable grievance level timeline.

## CHAPTER 5- COMPENSATION

### 5.01 PAY DAYS

The College has established a monthly payroll, which includes all full-time and part-time employees. Monthly payroll will be issued on the last College work day of each month unless otherwise specified.

### 5.02 WORK WEEK

The workweek for non-exempt employees is a fixed period designated by Galveston College. The term “workweek” means Sunday through Saturday (12:01 a.m. each Sunday until 12:00 midnight of the following Saturday).

The College 40 hour workweek for Administrative, Professional-Technical and Classified staff begins at 8:00 a.m. through 5:00 p.m. Monday through Friday with one hour for lunch. During the summer semesters the College 40 hour workweek begins at 7:30 a.m. through 6:00 p.m. Monday through Thursday with 30 minutes for lunch.

Certain departments cannot observe the standard workweek due to the nature of the service they render. There may be work variations based on the operating needs of the department; such variations should not exceed a 40 hour workweek. The College may change the normal workweek and hours of office operations based on the needs of the College.

#### Flexible Work Schedule

The College’s Flexible Work Schedule Program allows alternate work schedules to be observed by non-faculty employees and is designed to improve service to students and faculty with extended work hours; improve employee morale, motivation and enhance staff productivity.

Flexible work schedules may be established where service and productivity will not be adversely affected, and where financial resources, staffing, workloads, and office coverage permits. Requests for flexible work schedule options will be considered on their own merits and depend upon individual circumstances and department needs. Flextime is a voluntary arrangement and may be established where there is mutual agreement as to the appropriateness of the plan for the specific department. All requests require approval by the supervisor whose decision is final and not subject to further review or grievance. Flextime schedules must meet the following requirements:

- 1) Employees will not be permitted to work a “compressed work week” (less than five days) except during the summer unless specifically approved by the appropriate Vice President in order to meet the operating needs of the department.
- 2) Lunch breaks must be at least 30 minutes, but not longer than 60 minutes.
- 3) An employee can begin a Flexible Work Schedule only if agreed to and developed with appropriate department, collegiate (if applicable) and division approvals.
- 4) Flextime shall not decrease productivity. All work areas must be properly “covered” during the regular office hours. There shall be no additional funding for Flextime, therefore it shall cause no increase in budget or staffing due to absenteeism, turnover, punctuality, over-time, or compensatory time.

### 5.03 OVERTIME WORK AND PAY

Overtime work will be performed only to the extent necessary and with prior approval of the supervisor to meet essential operating requirements.

The overtime provisions of the Fair Labor Standards Act (FLSA) apply to all non-exempt employees. A non-exempt employee is eligible to receive overtime compensation at the rate of one and one-half times the regular rate of pay for working hours over 40 in any one week period that runs 12:01 a.m. each Sunday until 12:00 midnight of the following Saturday.

### **Compensatory Time**

It is the policy of Galveston College to compensate overtime hours worked by non-exempt employees with compensatory time instead of overtime pay whenever possible. Compensatory time is calculated at the rate of one and a half (1.5) times for each hour worked over 40 hours per workweek. Overtime must be authorized by the supervisor in advance. Only hours over 40 actual hours worked are compensated. Sick Leave, Vacation, Holiday Pay, Personal Days, etc., do not count as hours worked in the calculation of the eligibility for overtime compensation. Employees are not permitted to punch in early, punch out late, or skip/reduce lunch break time to accrue compensatory time. The College records the employee's starting time and stopping time to the nearest 5 minutes. 29 C.F.R. 785.48(a)

It is the supervisor's responsibility to ensure compensatory time is recorded accurately and is utilized as soon as possible after it is earned. An employee must report the accumulation of comp time during the pay period it is gained. A maximum of 40 hours of compensatory time may be accrued during any pay period.

A non-exempt employee who accumulates more than two hundred and forty (240) hours of comp-time will receive the overage in paid compensation. An employee who leaves employment of the College will be paid for all accrued compensatory time. Compensation paid for accrued overtime/compensatory time will be at the hourly rate earned by the employee at the time the employee accrued the comp-time.

Employees must utilize their accumulated comp-time prior to using vacation or personal days.

Compensatory time off to which an employee is entitled must be taken during the 12-month period following the end of the workweek in which the compensatory time was accrued or it lapses and the employee may not be paid for that compensatory time. Texas Government Code § 659.015 (2) (g)

### **Exempt Employees**

Overtime pay or comp time is not granted to exempt personnel. The need to allow time off for excessive work time should arise only when special events or activities outside of ongoing duties of the job require substantial additional hours of work. Any work beyond that which must be performed to complete the ongoing duties of the job, such as for special events, must be approved in advance by the employee's supervisor. If the supervisor determines that some future time off is warranted, the supervisor with the Vice President's approval may give the exempt employees this Exchange Time off.

## **5.04 SALARIES**

The College provides a comprehensive compensation and benefit program for all eligible employees. To attract, retain and motivate its employees, the College has established compensation and salary administration plans for faculty and non-faculty employees. Compensation plans include salary schedules, classification structures, job descriptions and rules governing faculty education pay and salary administration. For specific information, please refer to the Faculty Compensation Plan or Non-Faculty Compensation Plan which are both published on the College's website.

### **Objectives**

Employees are paid according to guidelines adopted by the Board upon recommendation by the College President, with the objective to recruit and retain competent and qualified personnel through competitive salaries and a positive work environment.

### **Salary Adjustments**

To maintain a comprehensive compensation and benefit plan, every two years the Human Resources Department may work with an outside compensation consultant to gather salary information from similar Community Colleges. After reviewing the salary information, recommendations will be made for adjustments to the salary schedules during the budget planning process.

Non-faculty employees who believe that their job description has changed or may warrant a position reclassification should contact the Human Resources Department to request a position review. All salaries are approved and set by the Board during the annual budget process therefore mid-year grade changes will not be effective until the new fiscal year.

If an employee applies and is selected for a position at a lower grade, it is considered to be at the request of the employee. The employee's pay will be set at the minimum of the new pay grade and criteria for initial hire will be used to calculate the appropriate step.

### **5.05 PAYROLL PROCEDURE**

Payday is the last College work day of the month unless otherwise notified by email. Direct deposits are posted on payday. Due to the location of the College and possible pending evacuations, Galveston College does not issue payroll checks. All payroll compensation will be through a direct deposit process only. The Human Resource Department must have the following documents to setup an employee's profile in the payroll system. **Pay will not be issued to an employee until all new-hire paperwork is completed and received by the Human Resource/Payroll Department.** If these documents are received after the 15<sup>th</sup> of the month, the pay will be processed on the next month's payroll:

The employee will be scheduled to attend a College New Hire Orientation and Safety session. The employee must attend this session to make benefit elections.

#### **Payroll Taxes**

Deductions for Federal taxes and social security taxes will be withheld from payroll checks as required by law: FIT – Federal Income Tax will be withheld per the employee's elections on the W-4 form; FICA – Social Security will be withheld, 6.2% of taxable gross (the College will make an equal contribution of 6.2%); MEDI – Medicare will be withheld, 1.45% of taxable gross (the College will make an equal contribution of 1.45%). Note: these percentages may be subject to change.

If you are claiming exemption from FICA withholding as a teacher or trainee temporarily present in the U.S. under a "J" or "Q" visa, or a student temporarily in the U.S. under an "F", "J", "M", or "Q" visa who is performing services specified in the Immigration and Nationality Act you must complete IRS Form 8843. Form 8843 will be used for College Records only (not to satisfy any IRS filing requirements). It is your responsibility to submit this form to the IRS annually.

#### **Deductions**

Deductions for health, dental, life, dependent life, accidental death and dismemberment, short term disability, long term disability, and flexible spending accounts are withheld based on the employee's elections during orientation. Long term disability and dependent life are after tax benefits. All other benefits listed will be pre FIT benefits and be deducted from the employee's gross pay before taxes.

1) College paid benefits: The College pays for all short term disability and life x2. The college also sponsors portions of health, and dental insurance.

2) Tax Sheltered Annuities: Deductions are based on the employees election and signature on a Salary Reduction Agreement form.

3) Retirement: Retirement is a mandatory deduction for all regular full-time employees. Employees with the exempt status may elect the Optional Retirement Plan (ORP). All exempt employees must make this election during their first month of employment or they will be automatically assigned to Teachers Retirement System (TRS). To make this election, a signed ORP reduction agreement must be received by the Payroll Department prior to payroll processing. All non-exempt Classified and eligible part-time exempt employees will be assigned to TRS. TRS and ORP deduction and contribution percentages are subject to change (based on the State's established rates).

4) Garnishments: in the event a release of garnishment cannot be obtained, payroll will proceed with garnishment withholdings as required by law.

5) Excess Leave: deductions shall be made for unauthorized leave or leave taken in excess of the employees allowable leave bank.

### **Time Keeping**

All hourly employees (classified, part-time and work-study) are required to utilize the online timekeeping procedure (or keep a timesheet if not available). See section 3.06 Time Keeping Procedure.

Classified employees are paid a monthly salary from the 1<sup>st</sup> to the end of the month. All other hourly non-exempt employees are paid from the 16<sup>th</sup> to the 15<sup>th</sup> of each month (exception: December-January pay cycle). Notifications of changes made after the 8<sup>th</sup> workday prior to the payday for the applicable month will be reflected on the following month's payroll. Accurate and timely reporting of an employee's time and attendance is the direct responsibility of the supervisor.

The supervisor is responsible for the following:

- 1) Before the new employee's start date (full-time, part-time, and work study), assuring all required documents are completed accurately, including account numbers, and submitted to the Human Resources Department.
- 2) Verifying for accuracy and imputing employees' leave (sick, vacation, personal, etc.);
- 3) Auditing and approving the employee's monthly time record and submitting it to Payroll on or before the 4<sup>th</sup> workday prior to the payday for the applicable month;
- 4) Ensuring classified employees take a daily lunch break (clocking in and out), and work 40 hours per work week;
- 5) Adhering to College policies regarding work-study awards, including restrictions regarding hours and length of work week.

### **Faculty Load Sheets**

Load sheets are generated by the appropriate supervisor. Load sheets must be entered into the payroll system on or before the 15<sup>th</sup> of the applicable month. Load sheets submitted to Payroll after the 15<sup>th</sup> of the month may be paid with the following month's payroll. It is the responsibility of the supervisor to immediately notify the payroll department if a load payment has changed (or should be stopped). All load sheets must include the following:

- 1) Pay beginning and ending dates
- 2) Amount to be paid each month during the semester
- 3) Account number(s) to be charged
- 4) Amount to be paid from the account number(s)

### **5.06 DIRECT DEPOSIT**

Employees must elect to electronically deposit payroll checks directly to a checking account, credit union account or savings account by completing a Direct Deposit form and providing a voided check or deposit slip. All forms must be received by the Human Resources office by the 15<sup>th</sup> of the month to be processed with that month's payroll. If the routing and/or the account numbers provided are incorrect, once corrected, the employee pay will be paid by direct deposit the following month.

### **5.07 ANNUAL COMPENSATION**

Due to IRS taxing guidelines, Galveston College requires all annual compensation for its regular full-time employees (faculty and staff) be paid in twelve (12) monthly payments. (Internal Revenue Code- Section 409A).

## CHAPTER 6- LEAVES

### 6.01 HOLIDAYS

The College President shall designate the paid holidays to be observed during each fiscal year. All regular full time employees receive the workday off at their regular rate of pay for designated holidays. Part-time employees are paid on an hourly basis and do not receive pay for holidays. Except as may be otherwise approved by the Board, the following shall be the College holiday schedule:

Spring Break .....	5 days
Good Friday .....	1 day
Memorial Day .....	1 day
Martin Luther King, Jr. Birthday .....	1 day
Juneteenth .....	1 day
Fourth of July.....	1 day
Labor Day .....	1 day
Thanksgiving .....	3 days
(Wednesday, Thursday-Thanksgiving and the Friday following)	
Christmas and New Years.....	Determined by the official College calendar

To be eligible for holiday pay, an employee must work the last regularly scheduled work day immediately preceding the holiday and the first regular scheduled work day immediately following the holiday unless the absence is excused. An employee who is instructed to work on a holiday but fails to work and does not have an acceptable excuse will receive no pay for the holiday and may be subject to disciplinary action.

### 6.02 RELIGIOUS HOLY DAYS

A “religious holy day” shall be defined as a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20, Tax Code. The College shall make every effort to reasonably accommodate an employee’s request to be absent from work in order to participate in religious observances and practices, so long as it does not cause undue hardship on the institution.

Such absence shall be without pay unless the employee has paid vacation or personal leave available. All employees are required to give proper notice of their absence. “Proper notice” means that the employee shall provide a listing of religious holy days to be observed during the semester to their supervisor and shall provide notice of such days in advance to all students whose class would be cancelled due to a faculty member’s absence. This notice shall be in writing and shall be personally delivered to the supervisor. Texas Education Code 51.925

### 6.03 VACATION

#### Eligibility

All regular full-time employees are eligible to accrue and use vacation leave. Nine-month faculty are not eligible for vacation leave. Nine (9) month faculty observe the summer sessions as vacation break, unless teaching, and are required to return for the fall semester on the “faculty return date” as determined by the official College calendar.

#### Accrual

Classified, professional and administrative regular full-time employees and 12-month faculty shall be eligible for 12 working days of vacation annually (7.5 hour days 12-month faculty or 8 hour days classified, professional and administrative regular full-time employees). Vacation benefits shall accrue at a rate of one day per full month of employment.

To compute vacation time, the College has the authority to convert days to hours. Classified, professional and administrative regular full-time employees may accrue and carry forward from one year to the next a



maximum of 30 vacation days. Vacation leave will not accrue during periods of leave without pay status. DEC Local

### **Unused Vacation Leave**

Employees may carry over unused vacation leave from one fiscal year to the next, but unused vacation leave must not exceed 30 days (240 hours for non-faculty and 225 hours for 12-month faculty). Any excess vacation hours must be used before August 31 of each fiscal year or hours in excess will be forfeited. Upon termination of employment, not more than 30 vacation days shall be compensated. DEC Local

An employee moving to a non-accruing position will receive their vacation balance pay-out at the time of change (at the rate of the ending position). In the event an employee has received vacation leave benefits in excess of days earned to the date of separation, an amount equal to such excess shall be deducted from such employee's final compensation check.

### **Scheduling**

Vacation periods must be approved in advance by the immediate supervisor. Restricted periods during which vacation may not be taken may be designated by the College and/or by the department supervisor. Likewise, the College and/or the department supervisor may designate periods during which vacation must be taken.

Vacation should be scheduled by using the online Leave Request system. In the event that a vacation request was not entered (or approved) before the pay period is closed, a leave slip must be submitted to the department supervisor for approval and then sent to Payroll for processing. All timecard adjustments must be entered prior to the last day of the month. Leave slips must be forwarded to the Human Resource Department to be maintained in the employee's file.

## **6.04 SICK LEAVE**

### **Accrual**

All eligible College employees who have been employed with the College as of the 1st of the month will accrue the equivalent of one work day (7.5 hours for faculty and 8 hours for non-faculty) of sick leave per month (fiscal year accrual of 67.5 hours for 9-month faculty, 90 hours for 12-month faculty and 96 hours for non-faculty). All 9-month faculty teaching in the summer are allowed five hours of sick leave per course per semester, and there is no accrual. Consequently, a full-time faculty member teaching two courses during the summer and an adjunct faculty member teaching two courses during any semester is allowed a maximum of ten hours of sick leave during that semester. The Faculty Chair will assume responsibility for maintaining sick leave records for adjunct faculty. Employees may accrue sick leave to a maximum of 70 days (560 hours for non-faculty, 525 hours for faculty). Sick leave will not accrue during periods of leave without pay status. DEC Local

### **Sick Leave Use**

Sick leave may be used for the following situations: illness of the employee; medical or dental appointments (with the prior approval of the employee's supervisor); maternity leave, to the extent of accrued benefits, to be applied at the beginning of the leave period; illness of the employee's spouse, dependent children, dependent parents, dependent grandparents, dependent grandchildren, or dependent siblings (or those same dependent relatives of the employee's spouse) and legal wards. Dependent classification shall be determined by the treating physician who is required to complete the U.S. Department of Labor - Certification of Health Care Provider for Family Member's Serious Health Condition (Family and Medical Leave Act) Form WH-380-F. Employees must adhere to the FMLA procedures in Section 6.06. Sick Leave may not be used on a day the employee is working a second job.

Sick leave should be scheduled by using the online Leave Request system. In the event that a sick leave request was not entered (or approved) before the pay period is closed, a leave slip must be submitted to the department supervisor for approval and then sent to Payroll for processing. All timecard adjustments must

be entered prior to the last day of the month. Leave slips must be forwarded to the Human Resource Department to be maintained in the employee's file.

### **Procedure**

Notice that an employee is sick and cannot report for duty will be made in every case to the immediate supervisor. This notice should be made at least one (1) hour before reporting time. To be compensated while on sick leave, an employee must notify his/her immediate supervisor in accordance with the absence procedure. Failure to notify the supervisor, except in an emergency, will cause an employee's absence to be considered unexcused. Failure to provide notification of absence from work for three (3) work days shall be considered a voluntary resignation of employment.

If an employee becomes aware of the impending need to use sick leave (scheduled surgery or doctor's appointment), it is the employee's responsibility to advise the supervisor and complete a leave request. A supervisor may require satisfactory documentation for any absences and has the discretion to disallow sick leave without such documentation. For absences of five (5) days or more, employees are required to provide medical documentation. The FMLA procedure will be utilized for absences that exceed five (5) work days.

Medical documentation must be from a licensed healthcare provider. Misrepresentation of sick leave or failure to provide appropriate documentation or any other violation of the leave policy, or the terms of leave approval, will subject the employee to disciplinary action. Documentation of sick leave shall be forwarded to the Human Resources Department.

Medical documentation will be considered sufficient if it includes the following: the date on which the illness commenced; the date the employee first saw a doctor; the probable duration of the leave; and when applicable, a statement from the medical provider indicating whether the employee is unable to perform his/her job with or without restrictions, or if the employee is still unable to work, and the date of the next doctor's appointment to review the employee's progress.

The supervisor shall immediately call the Director of Human Resources if the absence is expected to exceed five work days. Based on information supplied by the supervisor and/or employee, the Director of Human Resources or the Director's designee shall determine whether the absence is an absence under the Family and Medical Leave Act (FMLA). If the information supplied by the supervisor and/or the employee is incomplete, the Director of Human Resources or the designee shall make a provisional determination as to whether the absence is an FMLA absence.

During lengthy illnesses, the employee should contact the supervisor on a weekly basis, unless another reporting schedule has been agreed upon with the concurrence of the Director of Human Resources.

### **Abuse of benefits**

Sick leave benefits are designed to provide for continuation of income during times of legitimate illness. Sick leave is not to be considered as an alternative form of vacation time or time-off for non-illness related incidents. Excessive absenteeism or evidence of malingering or the abuse of this benefit may be considered as an indication of an employee's inability to perform the job and may constitute grounds for disciplinary action and may require additional medical documentation.

### **Upon Termination**

Unused accrued sick leave shall be forfeited upon termination of employment; except that the level of sick leave accrued prior to September 1, 1989, shall be compensated at the rate of one-half the accrued amount up to a maximum of 60 days based upon the employee's salary at separation of service.

The estate of a deceased employee is entitled to payment for sick leave accrued prior to September 1, 1989 (to be compensated at the rate of one-half the accrued amount up to a maximum of 60 days).

In the event an employee has received sick leave benefits in excess of days earned to the date of separation, an amount equal to such excess shall be deducted from such employee's final compensation check. DEC Local

#### **6.05 PERSONAL DAYS**

All regular full-time employees are provided with 2 personal days per year (16 hours for non-faculty; 15 hours for faculty). These days are accrued at the rate of one day for each complete long semester worked, and are credited to the employee on September 1st of each fiscal year. Personal days cannot be carried forward to the subsequent fiscal year. Employees hired after April 15<sup>th</sup> are not eligible for personal leave days for that fiscal year. Personal Days should be scheduled by using the online Leave Request system. Upon termination of employment, eligible unused personal days shall be compensated.

#### **6.06 FAMILY AND MEDICAL LEAVES OF ABSENCE (FMLA) DEC LOCAL**

Family Medical Leave Act (FMLA) provides eligible employees up to twelve (12) weeks of unpaid leave within a twelve (12) month period for the situations listed below. Employees who are family members of veterans that are undergoing medical treatment, recuperation, or therapy for a serious injury or illness incurred in the line of duty may be entitled to up to 26 weeks of FMLA leave. DECA Legal

The College's twelve (12) month period begins on the first day FMLA Leave is taken. An individual employed by the College for at least 12 months and for 1,250 hours during the previous 12-month period shall be eligible for up to 12 weeks of unpaid Family Medical Leave, without loss of any employment benefits accrued prior to the beginning of the leave. Spouses and family members employed by the same employer will be limited to a combined total of 12 weeks of FMLA. FMLA may be taken for the following reasons:

- 1) Because of the birth of the employee's child or the adoption of a child by the employee, including placement for foster care, and in order to care for the child, provided the leave is taken within 12 months of the birth, adoption, or placement of the child. Documentation of the event will be required. By agreement between the employee and the College, this leave may be taken intermittently or on a reduced leave schedule.
- 2) To care for the employee's immediate dependent family or legal ward who has a serious health condition. Dependent classification shall be determined by the treating physician who is required to complete the U.S. Department of Labor -Certification of Health Care Provider for Family Member's Serious Health Condition (Family and Medical Leave Act) Form WH-380-F.
- 3) Because of the employee's serious health condition that makes the employee unable to perform the functions of his or her position. The treating physician is required to complete the U.S. Department of Labor -Certification of Health Care Provider for Employee's Serious Health Condition (Family and Medical Leave Act) Form WH-380-E. (12 weeks per employee's own serious health condition).
- 4) Because of a qualifying exigency arising out of the fact that your spouse; son or daughter; parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves. The employee is required to complete the U.S. Department of Labor - Certification of Qualifying Exigency For Military Family Leave (Family and Medical Leave Act) Form WH-384
- 5) Because you are the spouse; son or daughter; parent; next of kin of a covered service member with a serious injury or illness. The treating physician is required to complete the U.S. Department of Labor - Certification for Serious Injury or Illness of Covered Service member -for Military Family Leave (Family and Medical Leave Act) Form WH-385

The employee must give 30 days written notice to the College when requesting FMLA Leave. An employee must send this notice to the Director of Human Resources, and a copy to the departmental supervisor. When the leave is for the employee or a family member's serious health condition, medical certification from a

health care provider is required to support the request. The Director of Human Resources will provide the Department of Labor (DOL) certification form to the employee to be completed by the health care provider.

Upon approval, the Director of Human Resources will notify the employee that Leave has been designated as FMLA Leave. The College may provisionally designate an employee's leave as FMLA Leave during a time when the required documentation has not yet been received.

An employee on FMLA must contact their supervisor weekly of their status and intent to return to work, unless medically unable to do so. If FMLA Leave was taken for the employee's own serious health condition, the employee will be required to submit a "Physician's Work Certification" from his/her health care provider before returning to work that releases the employee to perform the essential functions of their position. An employee is not entitled to reinstatement if, because of a layoff, reduction in workforce or other reason, the employee would not be re-employed at the time job restoration is sought.

It is the College's policy to require employees to designate any paid leave for all or some portion of the employee's FMLA entitlement. The use of paid leave for unpaid FMLA Leave time does not extend the 12-week leave period. The FMLA procedure will be utilized for absences that exceed five (5) work days.

### **6.07 CATASTROPHIC LEAVE POOL**

The College has a Catastrophic Leave Pool, a voluntary employee participation program, intended to alleviate hardship caused to an employee if a catastrophic illness or injury forces the employee to exhaust all leave time (maternity leave and elective surgery are not considered catastrophic illness or injury). The Director of Human Resources serves as the Pool Administrator and will manage the program according to the Catastrophic Leave Procedures.

Full-time employees become eligible to participate in the Catastrophic Leave Pool by donating a minimum of one day of sick leave on September 1<sup>st</sup> of each fiscal year. Employees must have a minimum of 40 hours of sick leave to participate unless currently on an approved Catastrophic Leave or FMLA.

Employees who use leave hours from the Pool are not required to pay it back; once sick leave has been donated to the pool, the donated days cannot be returned to the individual. Employees may not designate a particular employee to receive their donated time. If the Catastrophic Leave Pool becomes exhausted, an additional donation will be required to continue eligibility.

#### **Eligibility**

An employee is eligible to apply for the Catastrophic Leave Pool when all of the following conditions are satisfied: the employee has contributed a minimum of one day to the Pool for the current school year; the employee has been employed in an eligible position for at least six months; the submitted application for the benefit is accompanied by a licensed medical physician's verification that provides sufficient medical certification regarding the illness/injury to evaluate the employee's eligibility; the employee has been absent from work because of the severe condition or combination of conditions for a period of (10) working days prior to the date that use of the Catastrophic Leave Pool becomes necessary; the employee has exhausted all paid leave and compensatory time; the employee is on an approved leave from the College; and the employee's condition is not an on-the-job injury covered by Workers' Compensation Insurance.

#### **Provisions**

Enrollment in the Pool does not guarantee that employees may withdraw hours from the Pool; however, if the request is approved, employees may be granted up to a maximum of 60 days (equivalent) from the Pool for any one health condition. The lifetime maximum benefit from the pool is 120 days. Catastrophic leave entitlement from the Catastrophic Leave Pool will run concurrently with 12-week leave under the Family Medical Leave Act. The use of the leave pool does not extend the 12-week FMLA Leave. The estate of a deceased employee is not entitled to payments for unused Catastrophic Leave Pool time.

The College President shall designate the Director of Human Resources to be the Leave Pool Administrator for approval or denial of applications for leave pool hours in accordance with the provisions of this policy. The Leave Pool Administrator shall adopt forms, procedures, and regulations for the administration of this policy. The decision of the Sick Leave Pool Administrator to approve or deny an employee's request for sick leave assistance will be final and binding. DEC Local

An Advisory Committee shall be established to review, award or deny requests submitted to the Pool Administrator. In order to comply with the Medical Privacy Act Provisions of HIPAA, the employee must sign a waiver in order to have the Pool Administrator and Advisory Committee review material including medical information. Requestors will be accorded anonymity when being considered by the Advisory Committee. Requests will be considered in meetings of the Committee, which will be called by the Director of Human Resources.

#### **6.08 CONTINUATION OF INSURANCE COVERAGE**

An employee who is absent from work, but receiving pay using sick leave or vacation leave, shall continue to have the employee costs for all enrolled group insurance plans deducted from his/her paycheck.

An employee on FMLA without salary leave entitlements (sick, vacation, etc.) shall be eligible to continue membership in all group insurance plans in which enrolled prior to commencement of the leave. The employee's costs (the amount deducted from the employee's paycheck) are to be paid by the employee in monthly installments to the College by the first work day of each month without salary. The College's obligation to continue coverage ceases if the employee's premium payment is more than 30 days late. Upon cancelation, a notice will be generated from ERS that includes COBRA instructions.

#### **6.09 BEREAVEMENT LEAVE**

The College allows up to five days (40 hours total) of paid excused absence, if needed, to attend the funeral or tend to the affairs of the estate upon the death of an immediate family member of a regular full-time employee. Such leave is not charged against sick leave. The leave must be used within a timely manner not to exceed 60 days from the death. "Immediate family" means spouse, children, parents, grandparents, grandchildren, siblings (or those same relatives of the employee's spouse) and legal wards. Proof of death and family relationship is required by the College and must be submitted with the Leave form to claim this benefit. DEC Local

#### **6.10 JURY DUTY OR COURT SERVICE**

When a full time employee is absent because of jury service or as a witness under court subpoena, he/she shall be paid their regular rate of pay subject to the following conditions:

- a) Employees shall notify their supervisor upon receipt of the notice of jury summons.
- b) Employees working the day shift shall report to their department for work if they are released from jury duty. If the release is close to the end of the shift, the employee should contact his/her supervisor for direction.
- c) Employees must furnish proof from the court showing date and time of jury duty served.
- d) If the employee fails to furnish proof and does not report back to work as stated above, then no pay shall be due and disciplinary action may be taken.
- e) Subpoenas - The same rules which apply to jury duty shall apply to employees required to be in court as a witness under court subpoena, except in cases of their own making and in cases that are related to providing services in another work assignment (outside of GC employment).

#### **6.11 MILITARY LEAVE**

Military Leave will be granted in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees preparing to take authorized Military Leave must furnish their supervisor and the Director of Human Resources notice by providing a copy of the military orders and/or appropriate certification within three (3) days of receipt. See DECB Legal

## **6.12 LEAVE WITHOUT PAY**

Full-time employees may apply to the College President for a Leave of Absence Without Pay (LWOP) for personal, family, financial, or other reasons. To be eligible to apply the employee must first meet the eligibility requirements of FMLA. If employees request LWOP for situations not covered by other leave provisions, the request will be evaluated on a case-by-case basis. Employees with disabilities may be granted LWOP as long as it does not create an undue hardship on the College. A LWOP may not exceed twelve (12) months.

The decision to grant such leave will be made by the College President. The length of employment and the employee's evaluation records are all valid factors in determining whether or not to grant LWOP. During the period of LWOP, the employee does not accrue any paid leave time.

During a LWOP that is not covered by FMLA the employee will be responsible for paying the full cost of all insurance premiums (employee and College/State portions). The full premiums must be submitted directly to Human Resources prior to the last day of each month. Failure to pay full cost of premiums may result in the cancelation of the employees insurance coverages.

An employee who accepts any other employment during the LWOP will be considered to have voluntarily resigned from the College as of the date other employment began. If an employee fails to return from a LWOP for other reasons, the termination date is the first day of the approved leave period, or the date the employee notifies the Director of Human Resources or the departmental supervisor he/she is not returning, whichever is sooner.

## **6.13 SABBATICAL LEAVE**

Sabbatical Leave is authorized for the primary purpose of increasing the value of the recipient's contribution to the College by providing the individual a significant opportunity for professional growth. Sabbatical leave may be granted, upon application, for study, research, writing, field observations or other suitable purposes. Opportunities for additional training, for improving skills and for maintaining currency in the field are understood as legitimate reasons for Sabbatical Leave.

Sabbatical leave is defined as release time with all or partial salary (retaining all benefits except accrual of sick, vacation, and personal leave) for either the equivalence of one long semester (up to 100% of base salary) or one academic year (up to 50% of base salary). Applications for Sabbatical Leave shall be submitted to the Rank, Tenure and Sabbatical Committee for review. Upon recommendation from the President, leave may be granted by the Board for renewal, growth, development, and enrichment. Faculty and administrative employees with six or more consecutive years of service in the District shall be eligible for consideration for such leave. No more than six percent of the faculty members of the College may be on faculty development leave at any one time. Education Code §51.106

Prior to granting a sabbatical leave, the District shall require a signed commitment from the employee regarding duties with the District after the leave is taken. The employee requesting a sabbatical leave shall agree to serve the District an amount of time equivalent to twice the leave taken. If the employee desires to resign from the District during the sabbatical leave or during the amount of time the employee agreed to serve, the employee shall be required to remit to the District any and all salary and benefits paid for the employee on a pro rata basis during the leave or return time the employee agreed to serve. DEC Local

A faculty member or administrator on Sabbatical Leave may accept a grant for study, research, or travel from any institution of higher education, from a charitable, religious, or educational corporation or foundation, from any business enterprise, or from any federal, state, or local governmental agency. An accounting of all grants shall be made to the governing board of the institution by the faculty member. A faculty member on faculty development leave may not accept employment from any other person, corporation, or government, unless the governing board determines that it would be in the public interest to do so and expressly approves the employment. §51.105 (b)

#### **6.14 DEVELOPMENTAL LEAVE**

Developmental leave is defined as release time without salary (but with benefits other than accrual of sick and vacation leave) for a maximum up to one year. Upon recommendation from the President, leave may be granted by the Board for renewal, growth, development, and enrichment. Faculty and administrative employees with three or more consecutive years of service in the District shall be eligible for consideration for such leave. No more than six percent of the faculty members of the College may be on faculty development leave at any one time. Education Code §51.106

Prior to granting a developmental leave, the District shall require a signed commitment from the employee regarding duties with the District after the leave is taken. The employee requesting a developmental leave shall agree to serve the District an amount of time equivalent to the leave taken. If the employee desires to resign from the District during the developmental leave or during the amount of time the employee agreed to serve, the employee shall be required to remit to the District any and all benefits paid for the employee on a pro rata basis during the leave or return time the employee agreed to serve. DEC Local

A faculty member or administrator on Developmental Leave may accept a grant for study, research, or travel from any institution of higher education, from a charitable, religious, or educational corporation or foundation, from any business enterprise, or from any federal, state, or local governmental agency. An accounting of all grants shall be made to the governing board of the institution by the faculty member. A faculty member on faculty development leave may not accept employment from any other person, corporation, or government, unless the governing board determines that it would be in the public interest to do so and expressly approves the employment. §51.105 (b)

#### **6.15 WORKER'S COMPENSATION LEAVE**

When an employee is injured on the job or suffers from a work-related illness and the employee is unable to work for any period of time due to the injury or illness, the employee may be eligible to receive Worker's Compensation Benefits. The amount of benefits varies with the employee's position and the length of time the employee is away from work.

Any employee who suffers a work related injury or illness must complete the College's **Employee's Report of Injury/Illness** form. The employee's supervisor must sign the form and complete the **Supervisor's Accident-Loss Investigation Report**. Both forms are to be sent to the Director of Human Resources on the day of the injury. In an emergency situation the employee should seek immediate medical attention and the employee's supervisor should contact the Human Resources Department.

When an employee seeks medical attention under the Workers' Compensation Insurance Plan the employee will receive a **Texas Workers' Compensation Work Status Report (DWC Form 73)** from the treating doctor. All DWC Form 73 reports must be submitted or faxed (409) 944-1500 to the Human Resources Department on the day they are received to ensure continued benefits.

Worker's Compensation benefits begin on the eighth day of work missed due to work-related injury or illness. The employee's accumulated sick leave, compensatory, or vacation time may be used to compensate the employee for the difference between the employee's normal salary and the amount received in Worker's Compensation benefits. No employee receiving workers' compensation benefits shall exceed 100% of their pre-injury wage. If an employees does received excess of 100% of their pre-injury wage they must return the additional pay to the College and/or the Workers' Compensation Carrier. **Failure to return overpayment of wages to the appropriate agencies is a violation of the Texas Administrative Code and may result in disciplinary actions.** 28 TAC Chapter 129, CKE Local, CKE Legal

Worker's Compensation Leave will be governed by the FMLA Leave policy. An employee who is covered under Worker's Compensation is not eligible for Short-Term Disability benefits. An employee who is receiving weekly Worker's Compensation benefits, but has exhausted all paid leave status, may continue to be enrolled in the College's medical, dental, and optional benefits programs, providing the employee

pays both the employee's and employer's share of the premiums to ERS. Sick and vacation leave shall not accrue until the employee returns to work.

Because the College places the safety of its students, faculty and staff above all other considerations employees who violate the College's work safety procedures will be disciplined accordingly.

### **Modified Light Duty**

An employee may return to work after a work related injury or illness under certain conditions when the employee's physician issues a restricted or conditional medical release. If there is a light duty assignment available in the employee's department the employee will be allowed to return to work. Twelve (12) weeks is the maximum time an employee may remain on a light duty assignment. The College President may make a temporary exception if the educational or organizational objective of the College can only be met by this exception.

The College may require a Fitness for Duty examination based on the employee's job performance or the employee's return from an illness or injury. An employee who cannot perform the essential functions of his/her job, with or without reasonable accommodations in his/her former position, may apply for a transfer to another position (if one is available) for which he/she qualifies and where his/her restrictions can be accommodated. A light duty assignment ends when an employee's physician releases him/her without any restrictions or a reasonable accommodation is no longer available.

## **6.16 JOB ACCOMODATION**

The purpose of the job accommodation process is to make it easier for people with disabilities to obtain protection under the Americans with Disabilities Amendment Act (ADA). The HR Department actively engages in the interactive process to determine if there is a need for a reasonable accommodation. An employee requesting consideration for an accommodation must complete the *Employee Request for Job Accommodation* form, and submit the *Medical Documentation Form* completed by a licensed physician, outlining the specific accommodation(s).

An Advisory Committee shall be established to review each job accommodation request. To comply with the Medical Privacy Act Provisions of HIPAA, the employee must sign a waiver allowing the Director of Human Resources, or designee, and the Advisory Committee members to review all submitted materials. The requestors will be accorded anonymity when being considered by the Advisory Committee.



## **CHAPTER 7- TERMINATION**

### **7.01 TERMINATION OF EMPLOYMENT**

Any employee may terminate his/her position with the College of his/her own accord. Voluntary terminations include resignation, retirement, job abandonment and failure to return to work following a leave of absence.

All employees who leave the services of the College will be required to go through the Human Resources Exit Procedure and to surrender and return to their departments or other proper source all records and/or property and keys of the College which may be in their possession or custody.

### **7.02 RESIGNATION**

In order to resign in good standing, non-contractual employees are required to give written notice to the appropriate supervisor and the Human Resource Office at least 14 days prior to the date of termination. If The College may permit a shorter period of notice in cases where extenuating circumstances necessitate such a resignation.

Any employee serving under a term contract may relinquish their position and leave the employment of the College at the end of contract term without penalty, provided such employee submits written resignation prior to the end of the school year in which the employee resigns.

Once a resignation is submitted and accepted, it may not be withdrawn without the consent of the College President.

### **7.03 RETIREMENT**

The Board shall not require the retirement of any employee on the basis of age. Employees are required to give written notice to the appropriate supervisor and the Human Resource Office 90 days prior to the date of retirement; however, the College may permit a shorter period of notice in specific situations. Retirement status for Galveston College purposes will be determined by the employee's status within the Employees Retirement System of Texas or the Teacher Retirement System of Texas.

### **7.04 ABANDONMENT / INVOLUNTARY RESIGNATION**

An employee who is absent for more than three (3) consecutive scheduled workdays without approval and notification to their supervisor is considered to have abandoned employment. This applies to an employee during the normal course of employment as well as the scheduled return from vacation or leaves of absence.

### **7.05 TERMINATION/DISCHARGE**

Non-contractual staff include all part-time, hourly and classified staff employees of the College and have the status of "at will employee," which means the employee has no contractual right, expressed or implied, to remain in the College's employ. The College may terminate his/her employment, with or without cause, and with or without notice, at any time.

The College initiates the action to terminate an employee. A dismissal is proper when it is determined that an employee does not possess the qualifications, skills, and ability to meet the requirements of his/her job, or applies when an employee violates the College's rules, regulations, or the Board Policies and Procedures, or conducts him/herself in a manner that adversely affects College activities, image, and/or other employees.

Before any employee is dismissed, if permissible, the employee shall be given reasonable notice in writing of the proposed action and the grounds, set out in sufficient detail to fairly enable him/her to show any error that may exist. In the event a regular full-time employee desires to be heard and to contest the action, the employee may exercise the Grievance Procedure, Section 4.14.

#### **7.06 REDUCTION IN FORCE / LAYOFF**

The College may reduce positions including Administrative, Professional-Technical, Faculty and Classified Staff employees due to legislative action, loss of enrollment, reorganizations, restructuring and/or consolidations of departments or division, deletion of programs/activities or reduction in funding or other fiscal constraints that require a reduction in personnel as deemed necessary by the College and the Board of Regents. DMC Local

#### **7.07 TENURED FACULTY TERMINATION**

The principles of tenure shall not be permitted to protect any person from dismissal for cause. Actions which may result in termination for cause of any contractual employee, including faculty on tenured status, include, but are not limited to, the following: DMAA Local

1. Repeated failure to perform assigned duties or contractual obligations.
2. Conviction of a felony.
3. Professional incompetence.
4. Loss of capability for effective performance of assigned duties through excessive use of alcohol or drugs.
5. Failure to achieve prescribed professional growth or development.
6. Theft, misuse or abuse of District property.
7. Misappropriation of District funds.
8. Inability or refusal to adjust to District organization, its rules and regulations, or failure to comply with Board policy, administrative directives, and/or administrative procedures.
9. Insubordination.
10. Falsification or deliberate omission of pertinent information on official College transcripts or other official records.
11. Falsification or deliberate omission of pertinent information in obtaining employment.
12. Failure to apply professional standards in grading student examinations and/or assignments.
13. Sexual harassment / any form of discrimination.
14. Inexcusable neglect of duty, including but not limited to, failure to meet assigned classes and/or failure to assume required committee assignments.
15. Behavior which is of such a nature that it causes a discredit to the College.
16. Financial exigency.
17. Violation of conditions stipulated in the employment contract.
18. Failure to actively and successfully recruit for a program or activity, as required.

When reason arises to question the fitness of an employee to continue in his or her position, all reasonable effort to effect a negotiated settlement shall be made on an informal basis.

The Board designates the Director of Human Resources and Risk Management as the person to whom an employee may present a grievance on an issue related to his or her dismissal.

Terminations for cause will be administered under the College's Personnel Administrative Procedures for Termination. If a faculty member wishes to present a grievance under Education Code 51.960, it is recommended that he or she file a request to present the grievance within ten working days after final action on the dismissal proceeding. Once a request to present a grievance has been filed, the conference shall normally be scheduled within seven working days.

A faculty member also has a right to present a grievance, in person, to a member of the College District's administration designated by the Board on an issue related to the non-renewal or termination of the faculty member's employment at the College. DMAA Legal and Local

"Faculty member" means a person employed full time by a college district as a member of the College District's faculty, including professional librarians, whose duties include teaching, research, administration,

or the performance of professional services. The term does not include a person who holds faculty rank but who spends the majority of the person's time for the College District engaged in managerial or supervisory activities, including a chancellor, vice chancellor, president, vice president, provost, associate or assistant provost, dean, or associate or assistant dean. DMAA Legal

#### **7.08 PAY/BENEFITS FOLLOWING TERMINATION**

All pay and benefits shall cease as of the date an employee terminates employment with the College, whether such termination is voluntary or involuntary, except as otherwise provided in the College's Leave of Absence procedures or COBRA provisions.

The effective termination date for record and pay purposes, except in the case of leave of absence, shall always be the last day the employee physically works on the job. The Human Resources Department should be contacted for specific information about the effect of the termination date on insurance coverage.

#### **7.09 EXIT PROCEDURE**

The Director of Human Resources (or designee) will conduct an exit interview with the terminating employee on their last workday. The purpose of this interview is to explain the employee's rights concerning certain group benefits, such as continuation of group medical and dental coverage, and TRS or ORP benefits. It is the terminating employee's responsibility to contact the Human Resource Department and schedule their exit interview. It is the responsibility of the department chair or immediate supervisor to complete a "User Request" form deleting terminated employees' (including non-returning adjuncts) access to College systems and ensuring the form is routed to HR.

#### **7.10 DEATH**

In the event of an employee's death, the estate of a deceased employee is entitled to payment for eligible unpaid benefits.

## CHAPTER 8- BENEFITS

### 8.01 ELIGIBILITY

#### Full time Employees

Administrative, professional/technical and classified staff shall work a 40-hour workweek. Faculty, whether tenure track or non-tenure track, shall work a 100% load as determined by the faculty workload policy. These employees shall be eligible for all benefits provided by the College unless otherwise restricted by the Board. DJ Legal

#### Part-time Employees

Part-time employees are those who work less than full time. Employees who work half time or less are not benefits eligible. Employees who work more than half time for a continuous period of more than 4½ months may be eligible for full group benefits and Teachers Retirement. However, employees currently enrolled in the Texas Teachers Retirement System (TRS) or Optional Retirement Program (ORP) through other employment shall also contribute to such system out of their part-time compensation with the College.

### 8.02 STATE EMPLOYEE PLANS

Group benefits are provided by the Employees Retirement System of Texas (ERS) and are subject to change. The most current ERS Plan will always supersede anything in this Handbook. The following sections are a brief overview of some of the ERS plans. For additional information about the group benefits, and employee eligibility requirements, please refer to [www.ers.state.tx.us](http://www.ers.state.tx.us)

Eligible full-time employees are provided a wide range of benefits. Some of the benefit premiums, or a portion thereof, may be sponsored by the College. Employees will not be enrolled in a benefit program until they had attended an Orientation and have made their benefit selections. Depending upon selections made, some plans may also require contributions from the employee. Premiums that are sponsored by the College may be subject to change. The College and/or ERS will notify employees of any changes as soon as possible.

#### Group Medical

A comprehensive health insurance program is provided through ERS. The State/College will pay 100% of the insurance premiums for a full-time employee and 50% of the premiums for dependent coverage. The coverage starts on the first of the month following the 60th day of employment. If the 60th day of employment falls on the first day of the month, then the coverage starts on that day. For example, an employee hired on June 15, 2015, would have health coverage on September 1, 2015. This is the ERS health coverage waiting period.

Part-time employees who work a cumulative average of 30 hours a week, or more, during a calendar year (January-December) will be eligible for full-time benefits the following calendar year if they remain employed by the College.

#### Dental Program

Dental insurance is available for benefit eligible employees and begins on the first day of employment. Eligible employees may select the Dental HMO, the State of Texas Dental Choice Plan, or the State of Texas Dental Discount Plan.

The College will pay 100% of the employee only Dental HMO premium toward the employee selected dental plan for benefit eligible employees and retirees only (not to exceed the monthly rate). The employee pays 100% of the premiums for all eligible dependents in all plans and the remaining employee premium of the Dental Choice Plan.

### **Income Protection**

Through long-term and short-term disability insurance coverage programs, eligible employees may receive a portion of their monthly income if they become disabled, are unable to work, and exhaust all sick leave benefits. This voluntary coverage is available to eligible employees only during the first 31 days of employment without Evidence of Insurability (EOI).

### **Short-Term Disability (STD)**

Short-term disability (STD) insurance is a State insurance program, not a College leave plan. STD will replace a portion of the eligible employee's monthly income after a 30-day waiting period if illness or injury (including maternity) keeps the employee from working. The maximum monthly income benefit will be 66% of the insured monthly salary (maximum \$10,000) or \$6,600, whichever is less.

The minimum monthly income benefit will be 10% of the insured monthly salary (if the employee is receiving worker's compensation, a disability retirement benefit, or other group disability benefits). The College will pay 100% of the STD premium for the employee.

Benefits are payable up to five months after the employee has been certified as totally disabled by an approved practitioner, used all sick leave, extended sick leave, sick leave pool, or completed the waiting period of 30 consecutive days, whichever is greater, and have been approved by the insurance provider.

### **Long-Term Disability (LTD)**

Long-term disability (LTD) insurance is a State insurance program, not a College leave plan. LTD will provide the eligible employee with a portion of their income if they become disabled, are unable to work for a longer period, and exhaust all sick leave benefits. The maximum monthly income benefit will be 60% of the insured monthly salary (maximum \$10,000) or \$6,000, whichever is less. The minimum monthly income benefit will be 10% of the insured monthly salary for up to 12 months (if the employee is receiving Social Security disability, worker's compensation, a disability retirement, or other group disability benefits). The employee pays 100% of the LTD premium.

Benefits are payable to the employee after the eligible employee has been certified as totally disabled by an approved practitioner, used all of their sick leave, extended sick leave, sick leave pool, or completed the waiting period of 90 consecutive days, whichever is greater, and have been approved by the carrier. Benefits are payable up to the maximum benefit period, which depends on the employee's age when they become totally disabled. For more information please refer to [www.ers.state.tx.us](http://www.ers.state.tx.us)

### **Life Insurance**

Galveston College provides, without charge, group life insurance coverage in the amount equal to two (2) times the annual salary for the employee. Additional life insurance may be purchased at the employee's expense with Evidence of Insurability (EOI).

### **Retirement**

All eligible employees are enrolled in either the Texas Teachers Retirement System (TRS) or Optional Retirement Plan (ORP). TRS is a defined benefit plan administered by the Teachers Retirement System of the State of Texas. ORP is a defined contribution plan administered by a College approved vendor and legislated by the Texas Higher Education Coordinating Board. Only full-time faculty, and administrators are eligible to participate in ORP. For more information about TRS refer to [www.trs.state.tx.us](http://www.trs.state.tx.us). For more information about ORP refer to [www.thecb.state.tx.us](http://www.thecb.state.tx.us) (Search: An Overview of TRS and ORP & Chapter 25).

## **8.03 FRINGE BENEFITS**

### **College Bookstore**

Employees will be offered a 10% discount on all non-textbook items purchased in the campus bookstore.

### **Credit Union**

Employees are eligible for membership in the Island Teachers' Federal Credit Union (Galveston Independent School District) and/or The University Federal Credit Union (The University of Texas Medical Branch).

### **Employee Assistance Program**

The College offers an Employee Assistance Program that provides free short-term counseling for eligible employees and their immediate family. Confidential counseling sessions are available 24 hours per day, 7 days a week at no charge to the employee. Information on this program is made available in the Human Resources Office.

### **Flexible Spending Accounts**

The College participates in a Section 125 Flexible Health Care and Dependent Care Program through ERS. Upon employment, the employee may enter into a written agreement with the College and ERS that a pre-tax payroll deduction be made to fund a Health Care Spending and/or Dependent Care Spending Account.

The employee may use the tax-free money from these accounts to pay for eligible health expenses not reimbursed under the employee's medical and dental plans, or to pay for eligible child care expenses. The process of entering into a written agreement needs to be repeated prior to September 1 for each subsequent calendar year in which an employee wishes to fund such accounts.

### **Tax Sheltered Annuity Supplemental Plan**

Employees may elect to participate in a voluntary Tax-Deferred Program by purchasing deferred annuity contracts or custodial accounts from a College approved vendor. Such custodial accounts or annuity contracts are acquired under 16 Section 403(B) and 457(b) of the Internal Revenue Code. Employees electing to contribute an amount to purchase a tax deferred annuity contract or custodial account will sign a salary reduction agreement, which will be effective only for contributions made.

### **Service Awards**

Service Awards are given for each 5 years of full-time service completed at Galveston College. They are presented at the annual Employee Awards Banquet each Spring. To receive a Service Award employees must have been hired by October 1<sup>st</sup> of their first school year.

### **Performance Awards**

Each year the College may recognize outstanding performance during the annual Employee Awards Banquet. All employees and students shall be allowed to participate in the nomination process for these awards. The final selection of the award recipients will be made by College employees. To be nominated, an employee must be hired by October 1<sup>st</sup> of the current school year. Positions considered are the employee's primary job assignment. Previous two years Performance Award winners are not eligible for nomination. The Faculty Performance Award Criteria is as follows:

1. Helps students/others grow personally and intellectually by assisting and encouraging them to achieve goals (provides attentive direction in the classroom and available outside of the classroom)
2. The instructor is knowledgeable in their discipline and able to clearly communicate their knowledge to others (Follows through on assigned tasks, gives feedback and assistance when needed, and performs thorough/complete work)
3. Approachable, available, and helpful (Always presents a pleasant demeanor, open minded, creates an atmosphere of caring, and positive problem solving)

The Staff Performance Award Criteria is as follows:

1. Win-Win Attitude (Always presents a pleasant demeanor, approachable, open minded, creates an atmosphere of caring, and positive problem solving)
2. Collaboration (Exhibits positive teamwork to achieve institutional goals, supportive of other people and departments, goes beyond and above job duties to help others)
3. Enhancement of college operations (Develops effective department/college procedures and processes, identifies areas for improvement and recommends changes, works to achieve resolutions).

### **Wellness Program**

It is the policy of Galveston College to create and encourage a healthy employee environment and promote health-consciousness. Employees who participate in a cardiovascular health-related activity for at least one hour per day three times per week during work hours will be allotted one-half hour three times a week extended lunch hour to participate in that wellness activity. Because job responsibilities must be met, employees must discuss and receive prior approval from his/her supervisor before scheduling any fitness-related activity. Employees will not be allowed to accrue unused fitness half-hours.

### **College Activities/Fitness Center**

Employees will be provided complimentary admission to some College functions, student sponsored or otherwise, for which tickets are required or admission charged (full-time employees and retirees). The Fitness Center will be available for use by all College employees, retirees, students and Board members with a valid College ID when classes and/or functions are not in session. A College ID may be obtained in the Media Center.

### **Notary Public Service**

Free notary public services may be obtained in various offices throughout the College for all employees and retirees.

### **Professional Development**

Galveston College administration may decide that a need exists for particular staff training. Such training will be initiated, defined, directed and paid for by the College and may include credit or non-credit classes offered by the College or on-site training sessions by an internal or external expert. Such training will occur during work hours and attendance will not be optional.

### **Tuition Reimbursement**

To contribute to and promote employee development, Galveston College has established a Tuition Reimbursement Program designed to encourage employees to develop their skills by taking approved educational courses related to their current or future career goals with the College. Tuition reimbursement eligible enrollment will not be calculated into the requirements for minimum class enrollment. For information regarding Faculty Education Pay refer to the Faculty Compensation Plan on the College website.

The College will reimburse all permanent full-time employees for credit and non-credit courses taken at Galveston College that improve the job skills and/or performance at Galveston College. The courses must be pre-approved, using the appropriate forms, by the employee's supervisor and vice president, and must not affect regular working hours unless specifically requested by supervisor and approved by vice president. In those instances where classes are available only during normal working hours, supervisors may provide flexible work schedules and/or approve use of appropriate paid leave (i.e. vacation, compensatory time). Such approval is subject to the operating needs of the department.

For credit courses, a maximum of six (6) credit hours per semester may be approved. The College will only reimburse the employee for the associated tuition, building use fees, technology fees, student

services (student activity) fees, and up to \$24 per course for laboratory fees and miscellaneous fees for up to a maximum of six credits per semester upon successful completion of the courses. The College will only reimburse the employee for course(s) in which a grade of C or higher was earned.

For non-credit courses, the College will pay the associated tuition, building use fees, technology fees, up to a total of \$24 per course for laboratory fees and miscellaneous fees, with a maximum of \$200 per course or program, or \$400 per year maximum per employee per fiscal year. Exceptions to this \$200 maximum can only be by a specific agreement with the employee's supervisor and vice president for a class that would improve needed skills relating to the employee's current job description. If a comparable credit course is offered, the employee must take the credit course.

An employee receiving external funding from another source (i.e. scholarships, grants, Veterans Benefits, etc.) may only be reimbursed for expenses not covered by outside sources.

*Courses* that improve job skills and/or performance applicable to the employee's job duties at Galveston College but not offered by the College may be eligible for reimbursement upon prior approval of the employee's supervisor, vice president and president.

## **8.04 TRAVEL EXPENSES**

### **Introduction**

Persons authorized to travel for business and educational purposes on behalf of Galveston College ("Traveler") shall be reimbursed for all usual and reasonable travel related expenses made on behalf of and in connection with College business. The processes established herein have been developed on the premise that persons will use good judgment and prudence in the expenditure of College funds when traveling. Travelers are expected to select the most economical and practical accommodations, arrangements, and services in accordance with the needs of the trip. Any payments to Travelers under this procedure will not be considered income or compensation in computing the Traveler's participation or benefits in any benefit plan.

All expense report approvers, as well as the Traveler, are responsible for compliance with the provisions of the College's Travel Expense Procedure. Requests for exceptions to this procedure must be made in writing and signed/approved by the Traveler's responsible vice president prior to taking the trip.

### **Administration of Procedure**

Responsibility and authority to implement and enforce this procedure are placed with each Traveler, authorizing supervisor, responsible vice president, and the Controller. This responsibility includes effective communication of the travel procedure to all Travelers. The Business Office is responsible for establishing the forms, procedures, and controls necessary for the administration, enforcement, and interpretation of the provisions of this procedure.

### **Statement of Business Purpose**

College personnel traveling on College business must complete the Authorization for Professional Leave and Out-of-Town Travel Form. The purpose of the trip must be clearly stated with a complete explanation of the business or educational purpose. Abbreviations should be avoided so that the nature of the expenditure may be readily understood by persons unfamiliar with the purpose of the trip. Supporting documentation (registration, brochures, etc.) must be attached to the Authorization for Professional Leave and Out-of-Town Travel Form.

### **Prior Authorization**

Each Traveler shall obtain prior written authorization/approval from his/her supervisor and responsible vice president. Prior authorization shall include an estimate of the total cost for all travel and event costs. All travel must be approved in advance by the appropriate vice president. Any travel outside the contiguous United States must be approved in advance by the president.



## **Travel Advances**

Travel advances will not be made to the Traveler. The Traveler will be reimbursed after return from the trip for allowable/approved expenses with proper documentation attached to the approved Authorization for Professional Leave and Out-of-Town Travel Request Form. Registration fees may be prepaid by the College (see Registration Fees section).

When a special need arises resulting in the inability of the Traveler to pay in advance for airfare, the Traveler may request advance prepayment for airfare by completing the Special Needs Request for Travel Advance Form. This form should be used only when the Traveler has no way to pay for airfare in advance of authorized travel. When there is a special need, this Special Needs Request for Travel Advance Form must accompany the completed Authorization for Professional Leave and Out-of-town Travel Form.

## **Documentation of Expenses – General**

Expenses incurred in connection with authorized travel must be itemized and properly documented. Improperly documented expenses will automatically be deducted from reimbursement. Original receipts must be attached showing proof of payment. Copies of supporting documents are not acceptable; the originals must be submitted. An acceptable receipt will include the name of the establishment/vendor, the location/address, the date, and the dollar amount. The receipt shall be computed by the establishment/vendor.

Credit card monthly statements are not acceptable as documentation – the original charge slip is required. In those cases where supporting documentation is not available, a written explanation must be made for the lack of receipt or other supporting documentation, and this explanation must be approved/denied by the responsible vice president before reimbursement is made.

Should expenses exceed the authorized budgeted amount on the Authorization for Professional Leave and Out-of-Town Travel Form, the signature of the responsible vice president is required prior to payment.

## **Reimbursements**

### **Per Diem Allowance for Overnight Travel**

The purpose of the per diem allowance is to compensate the Traveler for the difference in daily living expenses incurred while at home versus expenses incurred when traveling overnight. The College will pay the traveler a per diem allowance at the city rate established by the U.S. General Services Administration ([www.gsa.gov/perdiem](http://www.gsa.gov/perdiem)). For travel to Texas cities, not listed on the U.S. General Services Administration chart, the per diem rate will be at the College's established rate.

When some or all meals are provided to the traveler (i.e.: by the conference or seminar), a prorated per diem for meals and incidental expenses will be available only for the meals that are not provided/included. The allowance for the meal(s) will be disbursed at the following daily rates: breakfast 20%; lunch 30%; and dinner 50% (of the daily per diem).

The full per diem allowance is authorized for overnight travel beginning before 12:00 noon. A 50% per diem allowance is authorized for overnight travel beginning after 12:00 noon. This allowance does not require receipts, and is paid after completion of overnight travel.

### **Common Carrier**

Reimbursement requests for air, train, and bus travel must be supported by original ticket or receipt. Reimbursement for air travel will be limited to less than first class fares. Special discounted fares should be used when available. An effort should be made to plan trips far enough in advance to qualify for discounted fares. It is the responsibility of the Traveler to contact the carrier and attempt to obtain a refund when applicable prior to requesting College reimbursement. In the event of such an

occurrence, documentation of the situation (cancellation notice, denial of refund by carrier, etc.) must be attached.

“Excursion fares” (requiring a Saturday overnight stay) may result in significant airfare savings. If such a fare is purchased, an additional night’s lodging and per diem allowance will be reimbursed – not to exceed the airfare savings. Documentation of this savings must be provided. Travelers are encouraged to use electronic, paperless ticketing, if possible. Should the Traveler lose an issued paper ticket, the cost of replacing the lost ticket will be at the expense of the Traveler and will not be reimbursed.

### **Transportation to/from Airport and at Location**

It is expected that each traveler will use the best means of traveling to and from airports taking into consideration cost, time, and transportation availability.

1) **Public Transportation** – the cost of necessary public transportation is reimbursable and does not require a receipt.

2) **Airport Limousine/Shuttle** – reimbursement will be made for actual limousine charges incurred while conducting official College business, and requires a receipt.

3) **Taxi** – reimbursement will be made for actual taxi cab charges incurred while conducting official College business, and requires a receipt.

4) **Private Automobile** – from home to airport. Payment will be made at the College’s established rate per mile plus parking charges (receipts for parking are required, regardless of amount.) Note: Galveston College establishes the rate for mileage reimbursement.

5) **Rental Car** – use of a rental car must receive prior written approval by the responsible vice president and must be documented with an original receipt. After advance approval is received, rental car reservations should be made in advance to take full advantage of special discount rates. The most cost effective method should be used to determine if rental is more economical when compared to other modes of transportation.

The size of the rental car should not exceed what is reasonable or necessary for the Traveler. Any vehicle upgrades requested or granted should be at no additional charge to the College. The general rule is that when one or two adults are traveling, a compact car should be reserved. When four or five adults are traveling, a standard or full-size car (depending on the needs and availability) should be reserved. Extending the use of a rental car beyond the conference dates are at the Traveler’s expense. Prepaid gasoline from the rental company is not reimbursable.

**The Traveler must show proof of adequate personal Public Liability & Property Damage auto insurance at the time of the rental; Galveston College will not reimburse for additional insurance coverage.** Any Traveler involved in a traffic accident is solely responsible for any liability and/or damages incurred or caused by the rented automobile, and must furnish proof of personal auto insurance coverage. The Traveler is responsible for filling the vehicle before returning the rental car to the vendor; this is a reimbursable expense with required receipt. Any Traveler involved in any type of traffic violation (including parking) is solely responsible for payment of fines and court costs.

### **Personal Automobile**

1) **College Convenience** – When a Traveler uses his/her personal car for transportation, he/she is entitled to mileage reimbursement at the rate established by the College.

2) **Personal Convenience** – The use of a personal automobile for College travel in lieu of public transportation must be approved in advance, in writing, by the vice president and the Controller. If doing so, the Traveler must provide proof of adequate Liability and Property Damage coverage to the Business Office. Reimbursements will be allowed for mileage driven during layover at the destination point as well as incidental expenses, provided that the travel is in connection with official College

business. Such mileage must be documented to include written explanations/ information of additional mileage.

If two or more Travelers make a trip in the same personal automobile, only the owner of the vehicle is entitled to claim reimbursement for transportation. Reimbursement for use of a personal automobile at the College's established rate shall constitute payment in full of the College's liability for use of the vehicle by the Traveler or for any damages incurred or caused by the automobile during said use.

3) **Traffic Violations** – Any Traveler involved in any type of traffic violation (including parking) is solely responsible for payment of fines and court costs.

### **Lodging**

Reimbursement for lodging expense at the single room rate will be made to Traveler. If Travelers share a room with a non-authorized person, the receipted bill must show the single room rate to be reimbursed. If two College Travelers share a room, only the actual and allowable costs will be reimbursed. Reimbursement for lodging expense is limited to a reasonable amount, for the geographic area. If several room rates are offered, the Traveler is always expected to take the lowest offered rate.

Miscellaneous hotel charges, such as telephone, meals, etc. are not to be included in this category, even if listed on the hotel bill. These charges are covered by the per diem allowance. Appropriate documentation of lodging expense is an original itemized hotel bill and evidence of its payment.

### **Registration Fees**

Reimbursements of conference registration fees in connection with official College business will be allowed if appropriate documentation is provided including approved Authorization for Professional Leave and Out-of-town Travel form. Appropriate documentation consists of an original receipt or a copy of canceled check coupled with the program literature showing the registration fee amount. Prepayment may be requested for registration fees.

### **Miscellaneous**

Reimbursement of reasonable business-related long distance telephone calls, telegrams and fax transmissions, made in connection with official College business will be allowed. All tips for meals, refreshments, taxi service, limousine service, doormen, baggage handlers, etc. are reimbursed only as part of the per diem allowance. When hosting an approved business meal or event (exclusive of the per diem allowance), only reasonable tips up to 15% will be reimbursable.

### **Expenses Not Paid by the College:**

Non-reimbursable expenses are included but not limited to the following list:

- \* airline and travel insurance
- \* child care expenses
- \* barbers and hairdressers
- \* pet care
- \* recreational fees (e.g. golf)
- \* personal phone calls
- \* annual credit card fees
- \* transportation to and from office
- \* sightseeing
- \* shoe shines
- \* movies
- \* magazines, books, newspapers
- \* cigarettes
- \* theft or loss of personal property
- \* medical services and prescriptions
- \* travel expenses for Traveler's family
- \* tips for maid service, doormen, etc.
- \* any other personal expenses

### **Local Expenses**

Local expenses are defined as expenses incurred for travel and business meetings and conferences not requiring an overnight stay or transportation by common carrier. Such expenses should be reported for reimbursement on the Monthly Local Mileage and Expense Reimbursement Request Form. The form should be maintained and submitted for reimbursement on a monthly basis.

## **Mileage**

Mileage expenses for local travel shall be reported on the Monthly Local Mileage and Local Expense Reimbursement Request Form. An employee's "normal commute" is considered to be the total direct mileage from the employee's place of residence to the Galveston College campus and back to place of residence. The definitions of reimbursable versus non-reimbursable local mileage follow:

### **Reimbursable**

- 1) Mileage during the normal work day in excess of your normal commute
- 2) Mileage incurred for trips to non-campus sites on College business, in excess of normal commute
- 3) Total mileage incurred for trips on weekends for College business, not considered part of your normal work week

### **Non-Reimbursable**

- 1) Non-college business
- 2) Mileage incurred during the normal commute

## **Meals**

Meal expenses for College business and guests (including tips/gratuities not to exceed 15%) will be reimbursed. Original receipts for such expenditures must be attached and include: A clear and concise description of the business reason/benefit derived or expected to be derived from the expenditures; the names of persons and their company or business connection; and the time and place of the meals.

The original receipt must include the name of the vendor/establishment, location, date, and dollar amount broken down by individual meals, etc. Photocopies of receipts will not be allowed. If the meal does not take place during a genuine business discussion, a detailed explanation of the situation must be made and attached to the report, as outlined below.

A monthly statement from a facility is not acceptable documentation. Proper original receipts must be attached to the monthly statement. Inadequate explanations of business purpose will result in the disapproval of reimbursement for the expenses. Tips/gratuities for meals should not exceed 15%.

## **Local Arrangements**

When College employees are responsible for arranging business-related meals for guests of the College at a local restaurant, they will make arrangements only after receiving written approval from the responsible vice president.

## **Foreign Travel**

Any travel outside the contiguous United States must be approved in advance by the president. When traveling outside the United States or its possessions to attend a convention, Travelers are required to certify attendance and maintain records as with any other trip. Exchange rates in effect at the time of the trip are to be used to report expenses.

## **8.05 STATUTORY BENEFITS**

All full-time, part-time, and temporary employees are covered by statutory benefits. Positions funded by grants will be subject to the applicable rules of the funding agency. Statutory benefits include: Workers' Compensation governed by the Texas Workers' Compensation Commission, Social Security/ Medicare governed by the applicable federal regulations, and Unemployment Insurance governed by the Texas Workforce Commission. No employee receiving workers' compensation benefits shall exceed 100% of their pre-injury wage. If an employee does receive excess of 100% of their pre-injury wage they will be required to return the additional pay to the College.

Work Study Students are not eligible for statutory benefits. Per the Tex. Labor Code § 201.069: “Service of student ‘employment’ does not include: (1) service performed in the employ of a school, college, or university by a student who is enrolled and regularly attending classes at the school, college, or university;(2) service performed by an individual who is enrolled as a student in a full-time program that combines academic instruction with work experience and that is taken for credit at a nonprofit or public educational institution normally maintaining a regular faculty and curriculum and having a regularly organized body of students in attendance at the place where its educational activities are conducted, if the service is an integral part of the program, and the institution has so certified to the employing unit.”

## CHAPTER 9- DISASTER PLAN/ HAZARDOUS COMMUNICATION PROGRAM

### 9.01 FIRST AID FACILITIES

Commercial first aid kits are available in the Admissions Office, Security, Physical Plant, Academics (M-315), Fitness Center and the Business Office. In the event of a serious illness or injury, dial “0” for the operator and/or Security to contact authorized medical assistance.

Automated External Defibrillators (AED) are available for immediate use in case of an emergency including cardiac arrest. Defibrillators are located at Security, Financial Aid, Fitness Center, Moody Lobby, Health Sciences (N-200), and Academics (N-333). Coaches, Security and Nurses are trained to use this equipment. Follow instructions if no trained personnel are available.

### 9.02 DISASTER PLAN

**All College employees should review the College’s Emergency Management Plan, posted on the College website, and become familiar with its contents. Every College employee should have an Emergency Operations Preparedness Guide easily accessible at all times. Copies of the Guide can be obtained from the HR Department.**

The College’s **Emergency Operations Preparedness Guide** outlines the steps to be taken in the event of an emergency. During events such as floods, hurricanes, fire or bomb threats, classes may be cancelled or buildings temporarily evacuated. Every effort will be made to immediately notify all persons on campus of these events. In such cases, classes will be conducted until the College is officially closed.

Only the College President or his/her appointed designee is authorized to represent the College and make statements to the press/public regarding the College and emergency situations. The following is a summary of the procedures to be initiated in case of such emergencies.

1. If dismissal or cancellation of College activities occurs during operational hours and classes are in progress an announcement will be made on campus as appropriate;
2. Supervisors will advise all employees of the emergency situation and their responsibilities;
3. When weather is threatening the island, all students and employees should follow the national weather advisories and emergency announcements regarding cancellation of classes, local weather conditions, evacuation advisories and when to safely return to the area. Announcements will be broadcast on the following television and radio stations: (Channel line-up many vary by carrier)
  - Houston – KPRC (Channel 2 – NBC)
  - Houston – KHOU (Channel 11 – CBS)
  - Houston – KTRK (Channel 13 – ABC)
  - Houston – FOX (Channel 9 or 26)
  - Houston - KTRH (740 on the AM radio dial)

To receive emergency notices and College status updates from the College’s automated phone notice system, Connect ED, **all employees and students must provide the College with CURRENT cell phone number, home email address, and residence address.** College status updates can also be received by calling (866) GUF-GCGC or (866) 483-4242. To update contact information, employees call the HR Department (409) 944-1209 and students call the Admissions Office (409) 944-1230.

### 9.03 CAMPUS EVACUATIONS

At the first sound of the campus fire alarms, all campus building occupants (including classroom, labs, offices, restrooms, snack areas, daycare and the bookstore) **MUST** calmly evacuate the premises and proceed to a parking area away from the building. This procedure also applies to all fire drills. Designated Area Safety Liaisons will ensure all areas of the College are evacuated and will secure the buildings.

Faculty, supervisors, and security will assist with the evacuation process. All College employees **MUST** follow this procedure and the directions of the assigned Area Safety Liaison:

- Leave by the nearest designated exit and alert others to do the same.
- Carry out all personal items in your possession, i.e., books, purses, etc.
- Close doors behind you but do not lock them.
- **Assist the handicapped in exiting the building.**
- **DO NOT USE THE ELEVATORS.**
- Report to your designated area assembly point.

Once outside, proceed to a clear area **up wind** that is at least 300 feet away from the affected building. Keep streets, fire lanes, hydrant areas and walkways clear for emergency vehicles and personnel. The Security Department will announce the "all clear" when it is safe to return

#### **9.04 HAZARDOUS COMMUNICATION PROGRAM**

The College will provide an education and training program for employees using or handling hazardous chemicals. "Employee" means any person who may be or may have been exposed to hazardous chemicals in the person's workplace under normal operating conditions or foreseeable emergencies. Workers such as office workers or accountants who encounter hazardous chemicals only in non-routine, isolated instances are not employees for purposes of these requirements. The College will maintain the written hazard communication program and a record of each training session to employees, including the date, a roster of the employees who attend, the subjects covered in the training session, and the names of the instructors. Records shall be maintained for at least five years.

#### **9.05 COMMUNICABLE DISEASES**

Each employee and new hire shall be provided an educational pamphlet about methods of transmission and methods of prevention of HIV infection and transmission and conduct that may result in the transmission of HIV infection. Used needles and other sharps are dangerous to people and pets if not disposed of safely. These can injure people and spread infections that cause serious health conditions. **Used needles and other sharps must be immediately placed in FDA-cleared sharps disposal containers located in the restrooms of Regents Hall (floors 1, 2 & 3), and the ATC Building 1.**

Personal protective equipment and Hepatitis B vaccinations will be provided at College expense to employees with risk exposure. An employee who is accidentally exposed to blood or other body fluids while rendering assistance at the scene of an emergency, or during transport to the hospital, shall take reasonable steps to be tested for hepatitis B or hepatitis C at the College's expense.

Employees must immediately report all exposure incidents (e.g., "sticks" by needles or other "sharps") to the Director of Human Resources or designee. A post-exposure evaluation and follow up with an employee who has a sharps injury will be conducted.

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis A (infectious hepatitis), viral hepatitis B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS Related Complex (ARC), leprosy, and tuberculosis. For the purposes of this policy, the term "HIV infection" shall include AIDS, AIDS Related Complex (ARC), and a positive test for the antibody to human immunodeficiency virus. Employees and students with communicable diseases, whether acute or chronic, shall follow the recommendations of public health officials regarding contact with students and other employees. DBB Local

## **9.06 PHYSICAL EXAMINATIONS**

### **Pre-Employment Examinations and Inquiries**

The College shall not conduct a medical examination or make inquiries of a job applicant as to whether such applicant is an individual with a disability or as to the nature or severity of a disability, except as provided below. However, the College is permitted to make pre-employment inquiries into the ability of an applicant to perform job-related functions, such as asking an applicant to describe or demonstrate how, with or without reasonable accommodation, the applicant will be able to perform job-related functions.

The College may require a medical examination (and/or inquiry) after an offer of employment has been made to a job applicant and prior to the beginning of employment duties and may condition the offer on the results of such examination (and/or inquiry), provided all entering employees in the same job category are subjected to such an examination (and/or inquiry) regardless of disability.

The results of a pre-employment medical examination shall be used only to determine the applicant's ability to perform job-related functions. Information obtained regarding the medical condition or history of the applicant shall be collected and maintained on separate forms and in separate medical files and shall be treated as confidential medical records. However, supervisors and managers may be informed regarding necessary restrictions on the employee's work or duties and necessary accommodation; first aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment. DBB Legal

### **Examination and Inquiry of Employee**

The College may require a medical examination (and/or inquiry) of an employee that is job-related and consistent with business necessity and may make inquiries into the ability of an employee to perform job-related functions. DBB Legal

The results of an employee's medical examination shall be used only to determine the applicant's ability to perform job-related functions. Information obtained regarding the medical condition or history of the applicant shall be collected and maintained on separate forms and in separate medical files and shall be treated as confidential medical records. However, supervisors and managers may be informed regarding necessary restrictions on the employee's work or duties and necessary accommodation; first aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.

## **9.07 AVOIDING HIV INFECTION IN THE WORKPLACE**

To avoid HIV infection, employees are expected to follow these recommendations: Keep broken skin covered with a clean, dry bandage; avoid direct contact with blood spills; wear gloves to clean spills that contain visible blood; clean blood spills with an appropriate disinfectant or 1:10 solution of freshly mixed bleach and water. After cleanup, wash hands thoroughly with soap and running water. Immediately report any possible exposure to the Director of Human Resources or designee.



## CHAPTER 10- CAMPUS SECURITY

### 10.01 CAMPUS SECURITY

The College makes every effort to maintain the highest possible level of safety in its activities and operations. Galveston College is committed to compliance with all health and safety laws applicable to its campus. Employees are expected to be equally conscientious about workplace safety, including implementing proper work methods, reporting potential hazards and abating known hazards in use of equipment and instructional materials.

Campus Security is located in the Mary Moody Northen Building, room 102. Individuals are encouraged to contact Campus Security 24 hours a day, 7 days a week, as may be necessary. To report a crime or emergency, dial “0” from an on-campus phone, from an off-campus phone dial (409) 944-4242. This number is monitored by the Dispatcher during normal business hours and will automatically “roll over” to the Campus Security cell phone after normal business hours. Campus Security direct cell phone number is (409) 996-7663.

Several in-house emergency telephones are located throughout the campus. These telephones may be used to report any criminal activity, medical emergencies, fire, and any other type of emergency. They may also be used for non-emergency calls, such as to request an escort.

Upon request by employees or students, the Campus Security will assist in starting stalled vehicles and unlocking vehicles. Be advised the College is not responsible for any damages that may result from these requests. Campus Security will also provide evening escorts from campus buildings to parking lots.

Campus Security is authorized to ticket illegally parked vehicles, direct traffic, and detain individuals involved in any criminal activities on campus until local law enforcement agencies can be notified. Refer to the College website for the College’s Crime Statistics.

**Employee Accidents:** In the event of an accident that results in injury, regardless of how insignificant the injury may appear, the employee must immediately notify their supervisor, who in turn will notify the Department of Human Resources. **All accidents must be documented** by completing the **Employee’s Report of Illness/Injury** and the **Supervisor’s Report of Illness/Injury** forms located on the intranet.

### 10.02 KEY CONTROL PROCEDURE

The College has implemented guidelines concerning the distribution of keys and access cards to ensure security to buildings, offices, storage closets and supplies. A “New User Request” form must be completed and approved by the supervisor and the Vice President for Administration.

Keys and access cards assigned to employees remain the property of Galveston College, and cannot be duplicated or loaned to anyone. Any attempt to have keys and/or access cards duplicated by any other source is a violation of the employment agreement with the College and will result in disciplinary action, to include a letter of reprimand and may result in termination.

Broken or hard to operate keys and/or access cards should be returned to and verified by the Key Control Manager as inoperable before replacements are issued. Any reassignment of office space or entry to secure storage areas will be coordinated through the appropriate approval process and the Key Control Manager, located in the Physical Plant.

Lost or stolen keys and/or access cards should be immediately reported to the Director of the Physical Plant or the Vice President for Facilities so that proper steps may be taken to maintain security. Employees are responsible for the keys and access cards issued to them and will be charged \$25.00 for each lost or stolen key and/or access card. In the case of employment termination, all keys and access cards must be returned to the Key Control Manager during the exit process and prior to the issuance of a final paycheck. The College will deduct \$25.00 from the employee’s final paycheck for every key and/or access card issued to the employee that is not returned at termination of employment during the exit procedure. **By accepting**

**Galveston College issued key(s) and access cards the employee is agreeing to the Key Control Procedure and to any associated payroll deductions.**

### **10.03 PHYSICAL PLANT/ MAINTENANCE**

Service requests for custodial housekeeping, grounds and maintenance must be provided to the Director of the Physical Plant by completing a Service Request Form. Emergency problems concerning physical plant operations should be reported to the operator by dialing "0." The Physical Plant is on the 1st floor of the Northen Building.

### **10.04 SOLICITING/ POSTING NOTICES/ BULLETIN BOARDS**

On-campus soliciting, collecting and benefit sales for outside organizations are prohibited. Notices shall not be posted or distributed in College buildings, on walls, doors, windows, kiosks, bulletin boards, or employee mailboxes without prior signed approval by the appropriate Vice President. Once approved, notices may be posted only on designated bulletin boards, the Galveston College marquee, easels, kiosks, television monitors, or other appropriate fixtures.

### **10.05 USE OF FACILITIES**

College employees may reserve campus facilities for College meetings or conferences conducted during regular operational hours by contacting the office of the Vice President for Academics. Any use of College facilities for purposes beyond regular College functions must be made by contacting the office of the Vice President for Administration. There will be a fee for use of College facilities for purposes beyond regular College functions. Any campus events involving the public must also have Security Department and Public Affairs approval prior to the event.

### **10.06 NEWS MEDIA/ PUBLIC AFFAIRS OFFICE**

The College President or his/her appointed designee is the only College employee authorized to represent the College and make statements to the press/public regarding the College and emergency situations. All official College information for publication, advertising and media release is to be coordinated through the Office of Public Affairs. Specific guidelines are established by this office for brochures, special interest publications, copy and layout. Other services offered include: graphics, signage, design, some non-media photography, and promotional items. A Public Affairs Request form must be completed to initiate any of these services. The Public Affairs Office requires at least ten working days to complete a project request.

### **10.07 BUILDING AND ROOM IDENTIFICATION**

Identification of College buildings and room assignments:

- M** Moody Hall
- R** Regents Hall
- N** Mary Moody Northen Bldg.
- H** Hermes Building (Gym)
- FA** Fine Arts Building
- SC** Cheney Student Center/ Home Plate (Food Service)
- SW** Seibel Wing
- ATC** Applied Technical Center (7626 Broadway, Galveston, Texas)

**Ball High School** (4115 Avenue O, Galveston, Texas)

**Hamshire-Fannett** Hamshire-Fannett High School (12552 Second St., Hamshire, Texas)

### **10.08 CAMPUS MOTOR VEHICLE RULES AND REGULATIONS**

#### **Students and Employees**

All students and employees utilizing campus parking facilities must properly display a valid Galveston College parking permit, and park in an appropriate parking space. Galveston College does not guarantee a parking place, nor does the absence of a parking space justify violation of the Campus Motor Vehicle Rules and Regulations.

## **Permits**

Students and employees may obtain GC Parking Permits (with proof of current enrollment) free of charge from Media Services in the Library. All students, faculty and staff who park an automobile on campus must display a valid parking permit on the outside lower left corner of the rear window. Permits for convertibles, pickups with temporary campers, and vehicles with a rear window sun shield may be displayed on the left rear bumper.

Failure to display a parking permit as described above constitutes a parking violation. (For additional information on parking violations, see parking violations below.) Students shall be responsible for all permits registered in their name, regardless of the owner of the vehicle. If a parking permit is lost, the loss should be reported, in person, immediately to Media Services.

## **Where to Park**

Students and employees with handicap / disability license plates or special handicap tags may park in any designated handicap space. All students may park in all parking lots and spaces not designated for visitors, for the disabled, for college vehicles, for faculty and staff, or as reserved. These spaces are reserved 24 hours a day 7 days a week.

**Warning! Vehicles illegally parked on the Galveston College campus may be immobilized or towed away at the owner's expense.**

## **General Provisions**

1. Galveston College has developed Campus Motor Vehicle Rules and Regulations for the purpose of proper identification of vehicles of persons who have legitimate business with the College; to ensure safety/notification of students, faculty and staff in an emergency; to provide orderly parking, traffic and use of parking facilities; to provide for the issuance of vehicle identification permits; to ensure pedestrian safety; and, to provide for enforcement in the event of violation. The operation of a motor vehicle on Galveston College property is governed by College rules and regulations.
2. The fact that a violation notice is not issued when a violation occurs does not imply that the regulation or rule is not in effect. Each vehicle operator is responsible for knowing and following the parking rules and regulations.
3. Campus Security has been charged with the authority to enforce these regulations, including the right to immobilize or tow vehicles for specific violations and/or for repeat violators. The owner or operator of an immobilized or towed vehicle is responsible for the cost of towing and storage fees in addition to any other assessed fines.
4. The College assumes no responsibility for any vehicle or its contents while the vehicle is parked or operated on College property. All vehicle operators should lock or otherwise secure their vehicles when parked on the Galveston College campus.
5. Registration of Motor Vehicles: All students, faculty and staff at Galveston College are required to identify their motor vehicles on campus through the use of a Galveston College Parking Permit. Parking Permits may be obtained free of charge from Media Services by completing the appropriate form.
6. Procurement of a Parking Permit by students or employees does not guarantee a specified parking space. Each driver is responsible for finding a legal parking space. Inability to locate a parking space is not an excuse for violating parking regulations.
7. A Parking Permit may not be obtained for or displayed by an individual ineligible to receive the permit. The College may suspend for a period of up to one (1) year, the parking privileges of individuals who violate this regulation.
8. Reserved Parking Permit: GC Employees assigned to designated reserved (restricted) parking spaces will be required to display a valid parking permit and the reserved parking hang-tag.

9. **Parking for Disabled Persons:** Galveston College follows state law regarding parking for disabled persons. Students, faculty and staff who have qualified and obtained a license plate or placard reflecting disability from the County Tax assessor's Office will be issued a parking permit. Those individuals may park in any parking space for disabled persons as long as their license plate reflects disabled status or their placard reflecting disability is hanging in their vehicle and is clearly visible.
10. **Display of Parking Permits:** Parking permits must be current and properly displayed on the motor vehicle. On automobiles and trucks, the parking permit must be prominently displayed in a manner that allows a clear view of the permit: Decals will be placed on the lower left corner of the rear window or left side of the rear bumper for convertibles. Hang-tags will be hung from the inside rear-view mirror.

### **Bicycle, Motorcycle, Motor Scooter and Moped Parking Regulations**

1. In accordance with Texas law, operators of bicycles, motorcycles, motor scooters and mopeds shall be granted all the rights and shall be subject to all the laws and duties applicable to the driver of a motor vehicle while on the Galveston College campus.
2. Parking of bicycles must be restricted to designated areas or bicycle racks. Bicycle racks are located next to the Northen Building, east side.
3. Parking of motorcycles, motor scooters or mopeds must be restricted to areas or spaces marked or designated for these types of vehicles. Designated motorcycle parking spaces are located between the Fine Arts Building and the Northen Building and on the eastside of the Hermes Fitness Center.
4. Any of these vehicles found parked illegally and creating a potential safety hazard may be impounded or cited.

### **Violations**

- Parking Permit Violations
  - ◆ No valid permit
  - ◆ Failure to display valid GC parking permit
  - ◆ Permit improperly displayed
  - ◆ Displaying a permit that has been altered or forged
- Parking Violations
  - ◆ Parking in a "No Parking" zone
    - Parking where prohibited by signs, painted curbs, or lines
    - Parking where no marked space exists
    - Parking on grass, grounds, or turf
    - Parking in area which has not been designated for parking
    - Parking in a fire zone
    - Parking in a loading zone
    - Parking in a reserved space or area
    - Parking in faculty/staff or reserved space
    - Parking illegally in a "Visitor Only" reserved space(s)
    - Parking illegally in any controlled space or area
  - ◆ Parking in a space for disabled individuals without properly displaying a license plate or placard (hang-tag) for disabled individuals.
  - ◆ Blocking drives, sidewalks, exits or loading zones.
    - Parking in a manner that obstructs or impairs proper usage of sidewalks, driveways, streets, curbs, ramps, loading zones, marked crosswalks, or disabled access.
    - Parking in a manner to prevent, impair or obstruct other vehicles from entering or exiting parking lots, parking spaces, or access streets that enter and exit the campus.

- Parking in a manner that obstructs truck access to dumpsters.
  - ◆ Illegal parallel parking on two-way streets and roadways.
    - Parking in a manner that obstructs two-way flow of traffic on any campus street or within a parking lot.
    - Failure to park with right-hand wheels within eighteen (18) inches of the street curb.
  - ◆ Failing to park within marked space. Failure of one vehicle to park within the marked boundaries is not implied consent for others to park with any part of the vehicle over the line.
  - ◆ Parking in a “double parked” fashion.
  - ◆ Playing loud and disruptive music
  - ◆ Stopping or parking a vehicle on the roadway side of any vehicle parked at the edge or curb of a street or parking lot.
- Moving Violations
  - ◆ Speeding (The campus speed limit is 10 miles per hour)
  - ◆ Burning-off
  - ◆ Reckless driving
  - ◆ Running a stop sign
  - ◆ Failure to yield right-of-way
  - ◆ Driving the wrong way on a one-way street or parking lot through way
  - ◆ Executing an illegal U-turn
  - ◆ Failure to yield to a pedestrian in a cross-walk
  - ◆ Operating a motor vehicle on curbs, sidewalks, grass, etc.
  - ◆ Other moving violations as defined by law

### **Enforcement**

1. All laws of the State of Texas, ordinances of the City of Galveston and rules and regulations of Galveston College are in effect on the campus 24 hours a day.
2. Special temporary parking arrangements may be made through the Director of Facilities and Security.
3. Reserved spaces, whether by designated “Reserved” signs or reserved by Campus Security for special events, will be enforced.
4. Traffic and Parking Notices: Galveston College Security may issue Galveston College Violation Notices.
5. Immobilization of Vehicles: Vehicles may be immobilized by means of an automobile ‘boot’ at the expense of driver/owner. Immobilized vehicles may be subject to additional fines and/or penalties.
6. Towing of Motor Vehicles: All Galveston College parking lots are posted with signs stating “Towing Enforced – Permit Parking Only – Unauthorized Vehicles Will Be Towed at Owner’s or Operator’s Expense – Towing Enforced 24 Hours a Day.” Unauthorized, illegally parked and abandoned motor vehicles are subject to removal from Galveston College parking lots by towing. Towing will be in accordance with Texas Transportation Code – Chapter 684.
  - Violations and Violation Notices resulting in immobilization or Towing:
  - Receiving three (3) Violation Notices for any violation may result in vehicle being immediately towed at owner’s expense.
  - Unpaid parking fines
  - Blocking emergency access and driveways/doorways
  - Parking in fire zones
  - Blocking fire hydrants
  - Vehicles determined to be abandoned

- For any violation causing disruption or a safety concern, the vehicle may be immediately towed at owner’s expense.

**Fines and Penalties**

- Permit Violations..... \$ 10
- Parking in a No Parking Zone..... \$ 10
- Parking in a reserved, visitor, or faculty/staff space..... \$ 10
- Parking in designated disabled space without appropriate permit \$ 50

Penalties: Parking privileges may be suspended for a period of up to one (1) year for habitual violators. The vehicles of habitual violators may also be towed without notice at the expense of the vehicle owner.

All fines for parking violations, permit violations, or moving violations are due within ten (10) working days from the date of the violation. A late payment fee of \$10 will be added to a traffic/ parking violation fine if payment is not made within ten (10) working days from the date of the violation. All grades, records, and transcripts may be withheld for unpaid fines and/or other financial obligations that are due to the College.

**Appeals of Violations, Fines, Immobilization, or Impounds**

Students, faculty, and staff who receive a violation notice or whose vehicle has been impounded may request a review of that action by submitting a written request to the Director of Facilities and Security within ten (10) working days of the date of the Violation Notice. The review request will be acted upon within fifteen (15) working days of the date of submission. If the Director of Facilities and Security finds that the vehicle was improperly impounded, the Violation Notice and towing / impounding expenses incurred by the student or employee for whose vehicle was impounded, will be reimbursed by the College. Appeals to the decision of the Director of Facilities and Security will be handled for students through the Vice President of Student Services and for employees through the Vice President for Administration. All appeals must be submitted in writing within ten (10) days of the review decision by the Director of Facilities and Security. All appeals will be heard by the appropriate Vice President within fifteen (15) days of the date an appeal is submitted.

**GALVESTON COLLEGE**

**PERSONNEL**

**ADMINISTRATIVE PROCEDURES**

**Employee Handbook**  
**Acknowledgement Form**

This is to acknowledge I understand a current version of the Galveston College Handbook of Personnel Administrative Procedures is retained and posted on the Galveston College website ([www.gc.edu](http://www.gc.edu)) **and I shall become familiar with its contents and adhere to all College policies and procedures.**

\_\_\_\_\_  
Employee's Name (Print)

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date