



Maricopa & EMCC Southwest Skill Centers Policies

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Department

The Maricopa County Community College District does not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, handicap/disability, age or Vietnam era/disabled veteran status in employment or in the application, admissions, participation, access and treatment of persons in instructional programs and activities.

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1. GOVERNANCE

1.1. Administration

1.1.1. Management

1.1.1.1. The Maricopa Skill Center is a division of GateWay Community College and the EMCC Southwest Skill Center is a division of Estrella Mountain Community College within the Maricopa County Community College District.

1.1.1.2. The line of administration is as follows:
Governing Board of the Maricopa County Community College District

Chancellor of the Maricopa County Community College District

President of GateWay Community College/President of Estrella Mountain Community College

Executive Director Maricopa Skill Center/VP Occupational Education EMCC Southwest Skill Center

Directors and Assistant Directors of Maricopa/EMCC Southwest Skill Centers.

1.1.2. Administrator. The Chief Administrator of the Maricopa Skill Center is the Executive Director. The Chief Administrator of the EMCC Southwest Skill Center is the Director. The powers and duties of the Chief Administrator of the Maricopa Skill Center/ EMCC Southwest Skill Center are set by the Governing Board.

1.2. Operational Policies: Salaries and Policies

The Maricopa/EMCC Southwest Skill Center's policies and salary schedule shall be separate and distinct from that of other employee groups of the Maricopa County Community College District.

1.3. Basic Philosophy

Employee's of the of the Maricopa/EMCC Southwest Skill Center shall carry out the policies of the Governing Board, shall perform their duties assigned to them according to their position descriptions and/or their supervisor(s), and shall perform such duties and responsibilities with professional skill in order to ensure wise utilization of District resources for the implementation of the educational program.

1.4. Advisory Councils

1.4.1. Advisory Councils for the Maricopa/EMCC Southwest Skill Centers

1.4.1.1. The Maricopa/EMCC Southwest Skill Centers will maintain a network of active advisory councils, including a separate council for each vocational training program (Program Advisory Council) and a council for the Skill Center as a whole (Administrative Advisory Council).

1.4.1.2. Each council will meet at least once a year with additional meetings as needed. Minutes of each council meeting will be filed in the instruction office.

1.4.2. Administrative Advisory Council

The Administrative Advisory Council will be selected and appointed based on their involvement in industry, public relations, legislation, community support, and

problem solving of special issues. The Administrative Advisory Council should reflect the diversity of the community, business and industry.

1.4.3. Program Advisory Councils

1.4.3.1. The Program Advisory Councils shall:

(a) recommend program changes consistent with labor and job market trends or demands/needs; (b) validate instructional competencies; (c) assist in assessment of vocational program relevance to current employer; (d) assist in program improvement and marketing; (e) review program equipment needs and recommend equipment replacement; (f) provide or assist in locating field trip or demonstration opportunities for students, and job shadowing, internship, or training upgrade opportunities for program instructional staff.

1.4.3.2. Council membership should be diverse and shall represent the employment scope of the vocational program. Members will be selected for their expertise in the occupational area and/or ability to benefit the program. The Advisory Council will serve as a resource to Instructors and Skill Center Staff. Minutes for each council meeting will be filed and used as supporting data during program review / development for continuous improvement.

1.5. EEO Policy Statement (<http://www.maricopa.edu/eo/>)

It is the policy of Maricopa to promote equal employment opportunities through a positive continuing program. This means that Maricopa will not discriminate, nor tolerate discrimination, against any applicant or employee because of race, color, religion, gender, sexual orientation, national origin, age, disabled, or veteran status. Additionally, it is the policy of Maricopa to provide an environment for each Maricopa job applicant and employee that is free from sexual harassment, as well as harassment and intimidation on account of an individual's race, color, religion, gender, sexual orientation, national origin, age, disabled, or veteran status.

1.6. Resolution of Non-Policy Issues

In the event of a perceived inequity of a circumstance that is not covered either by this policy manual or Board policy, an employee shall have the right to take the matter directly to the Chief Administrator of the Maricopa/EMCC Southwest Skill Center within fifteen (15) calendar days of the event of the perceived inequity or circumstance. Either party may request that the College President, or designee, be used as a resource for attempting to resolve the issue(s). Within fifteen (15) calendar days of the meeting, the College President after careful investigation of the problem will advise the employee in writing of his/her decision. If the decision is not satisfactory, the employee may, within five (5) workdays, elevate the issue to the Chancellor for review and decision. The Chancellor will render a decision within (30) workdays after receipt. The decision of the Chancellor will be final and binding.

At any point during the process a request for mediation may be submitted in writing to the Vice Chancellor for Human Resources or designee/College President. Both parties must agree to the mediation as well as the mediator. Mediation may be by any individual qualified to perform mediation as determined by Human Resources. Neither party shall discuss any items of the mediation with the mediator prior to the first mediation session. The outcomes/recommendations from mediation shall be provided to Employee Relations and all parties involved.

2. EMPLOYMENT

2.1. Employment Procedures

- 2.1.1.** A job vacancy may occur as the result of a new position being budgeted, a retirement, or a resignation or termination.
- 2.1.2.** Job vacancies will be filled in accordance with the procedures developed by the administrative staff of the Maricopa/EMCC Southwest Skill Center and will follow all Equal Employment Opportunity guidelines.
- 2.1.3.** At the discretion of the Chief Administrator, positions may be filled in house.

2.2. Orientation

All new employees will receive a Maricopa Community College District and Skill Center New Employee Orientation.

2.3. Salary Placement

2.3.1. An internal or an external applicant's qualifications shall be evaluated thoroughly at the time of selection, based upon validated transcripts of academic work, professional certificates, and verified related work experience. For a copy of the salary grades, call District Compensation Office or see <http://www.maricopa.edu/employees/divisions/hr/salary/schedules>.

The Chief Administrator or designee will be responsible for equating these qualifications to the minimum eligibility requirements for step placement.

2.3.2. The person selected for a position must have at least the minimum qualifications for that position.

2.3.3. It shall be the applicant's responsibility to provide the Skill Center's Human Resources Office with necessary information and to update his/her file.

2.3.4. All undergraduate and graduate degrees and credit hours must be earned at accredited institutions. Work done at foreign universities will be considered if evaluated (at the applicant's expense) by an approved company to provide such services. Call District Human Resources for additional information on approved companies.

2.3.5. Initial appointment of an applicant to a specific position will normally be at step one (1) of the schedule that applies to the position. Placement beyond the normal step one (1) position will be based on specific educational background and specific work experience in the field to be taught or worked.

2.3.5.1. Administration/Management/Staff

- (a) One additional step may be given for two (2) years of specific management or administrative or staff experience.
- (b) One step beyond (a) may be granted for each additional year of specific management or administrative or staff experience (either within or outside of education).
- (c) Placement may not exceed a maximum of three (3) steps above step one (1); maximum of step four (4).

2.3.5.2. Instructors

- (a) One additional step may be given for one (1) year of full-time specific teaching experience plus three (3) years of work related experience effective July 1, 2006.

(b) One step beyond (a) may be granted for each additional year of specific full-time teaching experience and work related experience.

(c) Placement may not exceed a maximum of three (3) steps above step one (1); maximum of step four (4).

2.3.6. Salary placement may be made above step 4 to meet the unique needs of the Maricopa/EMCC Southwest Skill Center if approved by the Chief Administrator.

2.3.7. An existing regular employee may apply for any posted position. Should the employee successfully complete the application process and be offered the applied for position, he/she may exercise all rights granted to external candidates in the course of establishing hiring terms and conditions.

2.4. Job Description and Classification Groups

Each employee will be given a job description to read and sign when he/she is employed. The duties and responsibilities outlined in the job description are general in nature and are intended as guidelines for what may be expected of the incumbent. The job description will also identify employee Fair Labor Standards Act (FLSA) status. Any question regarding status should be directed to the Chief Administrator or designee. Call or visit the Center's HR office for a copy of job descriptions or see <http://www.maricopaskillcenter.com/>.

2.5. Educational Advancement

2.5.1. The Chief Administrator or designee will decide issues regarding acceptability of institutions or organizations conferring degrees or awarding certificates.

2.5.2. Probationary employees are not eligible for an educational advancement. Credits/degree/certifications earned during the probationary period may be submitted for educational advancement after successful completion of the probationary status and conversion to regular full-time employee status. The step increase or stipend will be effective in the pay period following verification of evidence.

2.5.3. Employees who benefit under the Professional Growth Assistance Program (17.2.1) are not eligible for Educational Advancement benefits.

2.5.4. Compensation for formal education for current full-time employees may be awarded for the completion of earned college credit under the following guidelines:

Employees with no degree – completion of 30 or more college credits that include 100 level English, Reading and Math classes.

Employees who earn their first associate degree

Employees who earn their first bachelor degree

Employees who earn their first master degree

Employees who earn their first doctoral degree, or

Employees who earn one or more certifications on or after July 1, 2003.

Awards based on certification are established on an approved point system; to maintain equity with academic degree awards, more than one certification will usually be required for salary compensation.

2.5.5. Qualifying certificates must be awarded by a nationally recognized professional or technical organization, or by an accredited higher education institution.

- 2.5.6.** Compensation shall be at the rate of one (1) step, or a one-time stipend that is equivalent to a step for those to whom a step is not available. Step increase or stipend will be effective in the pay period following verification of evidence.
- 2.5.7.** This policy is effective for earned credits; degrees and certificates awarded on or after July 1, 2003, and is not influenced by awards earned prior to July 1, 2003. No employee may be granted more than two (2) such increments on or after July 1, 2003. The earned credits/degree/certification(s) must be awarded during employment as a regular full-time employee.
- 2.5.8.** Skill Center Human Resources and the Business Office will process the necessary documents to compensate the employee for an approved step or stipend.
- 2.5.9.** This article is not subject to the grievance procedures contained in this policy manual.

2.6. Reclassification

- 2.6.1.** Probationary employees are not eligible for reclassification.
- 2.6.2.** Reclassification for regular employees is approved/denied through a committee selected by the Chief Administrator or designee. The Reclassification Committee will consist of members from instruction and management/administration. The procedures regarding reclassification actions will be recommended by the Committee and approved by the Chief Administrator.
- 2.6.3.** If a reclassification request is sustained, salary increase will be effective the first day of the pay period following the approval of the Chief Administrator.
- 2.6.4.** This article is not subject to the grievance procedure contained in this policy manual.

2.7. Administrative Reassignment

Management Initiated Reassignment – A reassignment initiated by the skill center/ district office management personnel. The employee will not be required to serve a new probationary period.

Employee Initiated Reassignment – An employee requests to be reassigned to another position. The employee will be required to serve a new probationary period.

- 2.7.1.** An administrative reassignment is recommended by the appropriate Chief Administrator and approved by the college president.
- 2.7.2.** Except in critical situations, or where all parties agree, an employee who is reassigned will be notified verbally by Skill Center/EMCC HR staff. Written confirmation will be sent within ten (10) working days to the employee with copies to the District HR office.
- 2.7.3.** An employee may be reassigned to a position at a lower grade, the same grade, or a higher grade.
 - 2.7.3.1.** If the involuntary reassignment is to a lower grade, the employee's current salary will remain in effect until the salary schedule is revised, and/or a step is granted. This action may necessitate that an employee's salary will be off schedule (not on step) until the next step is granted.
 - 2.7.3.2.** If the reassignment is to an equal grade, the salary will remain the same.

2.7.3.3. If the reassignment is to a higher grade, salary placement will follow the guidelines set forth in Section 2.3. Any change to salary will be effective the first day of the assignment. Accumulated sick leave, vacation credits, and all benefits to which employee is entitled, including any changes in same, will take effect as of the date of the reassignment.

2.8. Temporary Administrative Reassignment

A temporary administrative reassignment will generally be for a maximum of two (2) years.

2.8.1. If the reassignment is to an equal grade, the salary will remain the same.

2.8.2. If the reassignment is to a higher grade, salary placement will follow the guidelines set forth in section 2.3. Any change to salary will be effective the first day of the assignment. Accumulated sick leave, vacation credits, and all benefits to which employee is entitled, including any changes in same, will take effect as of the date of the reassignment.

3. EMPLOYMENT CLASSIFICATIONS/SERVICE DATE

3.1. Regular Employee

A regular employee is one who has successfully completed the probationary period.

3.1.1. Regular full-time employee

A regular full-time employee is scheduled to work thirty (30) to forty (40) hours per week.

3.1.2. Regular part-time employee

A regular part-time employee is one who works at least twenty (20) hours a week and less than thirty (30) hours a week. This employee is eligible for pro rata Flexible Benefits.

3.2. Service Date

Regular employees will retain their original service date if there is no break in service.

4. PROBATION

4.1. Probationary Status: Exempt and Non-Exempt Employees

4.1.1. Effective July 1, 2006, all Maricopa/EMCC Southwest Skill Center staff are required to serve a one (1) year probationary period from their date of hire. During the probationary period an employee may be terminated for any reason, and such action will not be subject to the grievance procedure.

4.1.2. Two written evaluations will be completed during the probationary period, one at the end of the first four (4) months after employment, exclusive of vacation, leave of absence, and sick leave and one at the end of the first eight (8) months of employment. After that, evaluations will be done at least yearly from their date of hire.

4.1.3. Each evaluation will be discussed with the employee, and the employee will sign the evaluation as acknowledgment of having read it. The employee's signature on the evaluation does not mean that the employee agrees with it, only that he/she had read it.

5. LUNCH AND REST PERIODS

- 5.1. Lunch Period.** Each employee will have a duty-free one hour lunch period.
- 5.2. Rest Period.** Non-exempt employees will be allowed a fifteen (15) minute rest period during the first four (4) hours worked and a fifteen (15) minute rest period during the second four hours worked. A rest period will not be granted during the first or last hour of a work period. The scheduling of the rest period and the lunch period will be the responsibility of the supervisor.

6. OVERTIME AND COMPENSATORY TIME

- 6.1.** Overtime and compensatory time must be approved in advance by the appropriate supervisor or administrator.
- 6.2.** Overtime will be paid at the premium rate of one and one-half (1 1/2) times the employee's hourly rate of pay or at the compensatory rate of one and one-half (1 1/2) hours compensatory time for each hour of overtime worked.
- 6.3.** The decision as to whether reimbursement should be through premium pay or compensatory time will be made by the appropriate supervisor/administrator and will be communicated to the employee prior to the overtime being worked. Written documentation is the preferred method of communication.
- 6.4.** Employees will be paid overtime when the hours exceed forty in any one-week period. The overtime will be paid after forty hours of compensated time (including sick, holiday, vacation, etc.)
- 6.5.** Supervisors and employees will share responsibility for keeping records of compensatory time earned and taken. The acceptable document for use in this record keeping is the nonexempt comp time log.
- 6.6.** An employee may accrue up to a maximum of one hundred twenty (120) hours of compensatory time. (This equals eighty (80) hours of time worked in approved overtime status.)
 - 6.6.1.** An employee who has accrued one hundred and twenty (120) hours of compensatory time, and who works additional approved overtime hours, will be paid at the premium rate.
 - 6.6.2.** Time frame for using accrued compensatory time
 - 6.6.2.1.** Employees must be permitted to use accrued compensatory time within a three (3) month period.
 - 6.6.2.2.** If three (3) months have passed and the supervisor has not granted compensatory time off, then the premium pay will be awarded.

7. EVALUATION

7.1. Evaluation of Instructional Staff

- 7.1.1.** In addition to the annual employee evaluation, full time instructors / associate instructors will have at least one classroom visit by the Chief Administrator or designee during the annual evaluation period. The evaluation will include, but not be limited to: (a) classroom observation; (b) student evaluations; (c) review of classroom materials; (syllabus, program/course outline, student progress forms, and daily attendance records); (d) review of instructor-prepared learning projects; (e) equipment and training aids to support the learning activity.
- 7.1.2.** Additional evaluations will be scheduled when there are conditions that indicate its need. Such conditions include, but are not limited to: (a) student complaints; (b)

industry/agency complaints on the quality of the graduates; (c) low completion or retention rates for students.

The results of these classroom visits will be documented and included as part of the annual employee evaluation.

7.2. Evaluation Process of Regular Full Time Employees

7.2.1. Evaluations will be administered annually (the month the employee received regular full time status) by the employee's supervisor. The annual evaluation will be one of the tools to assist in improving performance. The annual evaluation will also be a factor considered in retention and/or dismissal. The employee will review the evaluation with his/her supervisor and may make written comments/observations. The employee has ten (10) working days after initial review of the evaluation to make comments/observations. No additional supporting data will be recorded or collected after the ten working day window. The employee must sign the evaluation. Evaluations will be processed through the Skill Center Human Resources Office.

7.2.2. The employee's signature does not represent concurrence, but rather that the employee has read the evaluation. A copy of the evaluation will be given to the supervisor / employee after final approval by the Chief Administrator. A copy of the evaluation will be placed in the Skill Center's employee's personnel file.

8. IMPROVEMENT PLAN/CORRECTIVE ACTION

The improvement plan is designed to aid the supervisor and the employee when previous discussions with the employee have failed to change unsatisfactory job performance/conduct. The employee's personnel file, located in the Skill Center Human Resources Office, is the sole official file and source of reference with regard to this procedure.

8.1. Initial Corrective Action. Before implementing the Initial Corrective Action, the supervisor must contact Employee Relations. (To download the Corrective Action template, see <http://www.maricopa.edu/employees/divisions/hr/managing/performance/document>).

8.1.1. The supervisor will hold a private discussion with the employee.

8.1.2. The employee will be informed that this is the initial corrective action discussion as set forth in this policy manual, and will be advised of the consequences that may follow if the employee's conduct/performance does not improve within a time frame established by the supervisor.

8.1.3. The supervisor will provide the employee with a written record of the offenses and time frame stated in the initial corrective discussion for his/her information.

8.2. Second Corrective Action. Before implementing the Second Corrective Action, the supervisor must contact Employee Relations. (To download the Corrective Action template, see <http://www.maricopa.edu/employees/divisions/hr/managing/performance/document>).

If the employee fails to take necessary corrective action, the immediate supervisor will again talk with the employee regarding his/her lack of improvement. A written record will be made of this meeting, and one (1) copy will be given to the employee and one (1) copy will be placed in the employee's personnel file.

8.2.1. The emphasis will continue to be corrective in intent. The employee should clearly understand the hazard of continued failure to meet reasonable standards of performance or conduct.

8.2.2. Upon proof of satisfactory performance, and at the end of at least a six (6) month period, the written record will be removed from the personnel file upon written

request from the employee and a signed approval from the immediate supervisor.

8.3. Disciplinary Action and Dismissal Recommendation

- 8.3.1.** If the employee fails to respond satisfactorily or commits another offense, the immediate supervisor may recommend disciplinary action. The Chief Administrator, in consultation with the supervisor and appropriate District Human Resources Staff, will determine the appropriate disciplinary action. The immediate supervisor and the Chief Administrator will hold a private discussion with the employee.
- 8.3.2.** Upon the recommendation of the Vice Chancellor for Human Resources or designee, the employee may be suspended without pay for a period of up to ten (10) working days, and/or the employee may receive a written reprimand and/or the employee may be recommended for dismissal. The Chief Administrator or designee will administer written reprimands. The Chief Administrator in a private meeting will provide the employee with a letter outlining the action taken to suspend the employee without pay and the timeline for enforcement.

8.4. Dismissal

- 8.4.1.** The Chief Administrator may recommend dismissal. The College President and Vice Chancellor of Human Resources or designee will review the record of the employee and investigate the situation as appropriate. If dismissal is recommended, the employee may refer to section (10.5.2.) for due process procedures.
- 8.4.2.** A written record of all proceedings outlined in subsections (8.2, 8.3 and 8.4), will be placed in the Skill Center employee's official personnel file, and a copy will be forwarded to the employee.
- 8.4.3.** If dismissal is approved, District HR will send the formal dismissal letter to the Chief Administrator. The employee's immediate supervisor and the Chief Administrator will hold a private discussion with the employee to notify him/her of their termination.

9. GRIEVANCE PROCESS

9.1. Grievance Process

Definition. A formal, written allegation by a grievant that he/she has been adversely affected by a violation of a specific provision(s) of this policy manual. A grievance excludes any alleged misunderstanding, practice, or other matter(s) outside the terms of this policy manual.

- 9.1.1.** The grievance procedure established here shall be the sole and exclusive remedy available for resolving disputes arising under these policies.
- 9.1.2.** It is the intent of the Maricopa/EMCC Southwest Skill Center to settle disputes with mutual agreement in a timely manner. Only items covered in these policies can be grieved by an employee.
- 9.1.3.** Forms for pursuing the grievance process are available through the Center's HR office.
- 9.1.4.** If, prior to or during the grievance process, the employee elects to go outside for grievance remedy, the Maricopa/EMCC Southwest Skill Center process will continue.

9.2. Grievance Procedure

9.2.1. Step I-complaint meeting

- 9.2.1.1.** When items of dispute are identified, an employee will complete Step I of the grievance form, indicating which section(s) of the policy he/she is grieving, and submit that form to his/her supervisor within five (5) working days of the occurrence of the grievance or within five (5) working days when the employee could be expected to have known of the occurrence of the grievance.
- 9.2.1.2.** Within five (5) working days of receiving the grievance form, the supervisor will schedule a meeting to discuss the grievance. The express purpose of the meeting is to make every attempt to resolve the issue.
- 9.2.1.3.** Within five (5) working days of the meeting, the supervisor will send a written response and resolution of the grievance to those named in the grievance and to the Chief Administrator or designee.
- 9.2.1.4.** As the grievance moves from one level to the next, the grievant may not add new considerations to the grievance. At each level, the written grievance and the written response(s) must be forwarded to the next level.
- 9.2.1.5.** No reprisals shall be taken against any grievant, representative, or other participant in the grievance procedure by reason of such participation.
- 9.2.1.6.** When the employee's immediate supervisor is the Chief Administrator, grievances may be initiated at Level II.

9.2.2. Step II-grievance hearing

- 9.2.2.1.** In the event the employee is dissatisfied with the results of the Step I Complaint Meeting, the employee, within five (5) working days after receipt of the written response, will complete and submit to the Chief Administrator or designee, Step II of the Maricopa/EMCC Southwest Skill Center Grievance Form.
- 9.2.2.2.** A grievance hearing will be scheduled and conducted within seven (7) working days, upon receipt of the completed Step II grievance form.
- 9.2.2.3.** Individuals attending the Step II Grievance Hearing shall be the Chief Administrator or designee, department supervisor, employee, and one person of the employee's choice.
- 9.2.2.4.** The hearing will be conducted by the Chief Administrator or designee. The employee will give testimony and other evidence of how he/she was aggrieved. The individual or party to whom the complaint is addressed will enter testimony and other evidence as rebuttal. The Chief Administrator or designee will make every attempt to negotiate a satisfactory resolution between the parties.
- 9.2.2.5.** All discussion, exhibits, and other evidence will become the official record of the hearing. The Chief Administrator or designee will assemble a report of the proceedings within five (5) working days after the completion of the second step grievance hearing. Each

party will review the report and sign, denoting the accuracy of the report. The document becomes the official record of the grievance hearing when signed by all parties and will be sealed afterward.

9.2.3. Step III-grievance appeal

- 9.2.3.1.** Any employee dissatisfied with the results of the Step II hearing may, within five (5) working days following receipt of the official report, apply for a grievance appeal by completing Step III of the Maricopa/EMCC Southwest Skill Center Grievance Form and submitting it to the College President.
- 9.2.3.2.** The College President shall appoint a Grievance Appeal Board composed of: (a) the Chief Administrator from Maricopa Skill Center or EMCC Southwest Skill Center; (b) two staff members selected by the grieving employee; and (c) two staff members selected by the Chief Administrator. The four (4) staff members will be selected for their knowledge of the area of the appeal but having no direct administrative responsibility for the grievant.
- 9.2.3.3.** The College President will set the date and time of the Appeal Hearing, which will occur within ten (10) working days of the appointment of the Appeal Board. The Appeal Hearing may be tape recorded with prior notification to those present.
- 9.2.3.4.** The Grievance Appeal Board shall review the records of the complaint meeting and grievance hearing. After reviewing these documents, the Appeal Board shall hear the grievant, supervisor, and/or parties involved to examine the evidence. The grievant, supervisor, and/or parties involved will be excused, and the Board will hold a caucus and make a decision. When the vote is tallied, the decision of the Appeal Board will be recorded and a formal report of the finding drafted and signed by all members of the Board. It is expected that all members of the Board will vote; but in any circumstance, the majority vote will carry. All discussions, actions, and records of the Appeal Board, except the Final Report, are strictly confidential. The findings of the Appeal Board are final.

10. TYPES OF LAYOFF/SEPARATION

10.1. Layoff

- 10.1.1.** Layoff will be that type of separation that severs an employee's services due to lack of work available that matches the employee's particular qualifications and capabilities, program closure, decline in enrollment, or lack of funding.
- 10.1.2.** After consultation with District HR, the employee will be notified in writing by the Chief Administrator at least fifteen (15) calendar days prior to a layoff.
- 10.1.3.** When an employee is laid off, he/she may be given preference for rehiring if the job position is re-instituted within a period of six (6) months.

10.2. Resignation

- 10.2.1.** A resignation occurs when an employee voluntarily terminates his/her employment with the Skill Center. It is recommended that an employee notify the Chief Administrator at least two weeks prior to the effective date of his/her resignation.
- 10.2.2.** The employee must provide a letter of resignation to the Chief Administrator and schedule an exit interview. The Chief Administrator will acknowledge, in writing,

acceptance of the resignation and set a date and time for the exit interview.

- 10.2.3** Upon the effective resignation/termination date, an employee waives all rights that he/she has held as an employee and shall be treated as a new employee should he/she return to the District.

10.3. Retirement

General. Maricopa/EMCC Southwest Skill Center employees are subject to the Arizona Retirement System and may retire according to its provisions. See <http://www.maricopa.edu/employees/divisions/hr/benefits/separation/asrs/>.

10.4. Voluntary Termination

- 10.4.1.** Two (2) weeks prior to resignation, the employee will provide a letter of resignation to the supervisor and the Skill Center HR Office. The employee may schedule an exit interview with the Chief Administrator or designee.

- 10.4.2.** With voluntary or involuntary termination of employment, an employee waives all rights that he/she had as an employee and will be treated as a new employee should he/she return to the Skill Center.

10.5. Involuntary Termination

- 10.5.1.** If an employee fails to appear for work on three (3) consecutive scheduled workdays and fails to communicate with their supervisor regarding their absence, the administration may deem the position abandoned and seek termination of the employee's employment. A supervisor should make a reasonable attempt to contact the employee during this time.

- 10.5.2.** A regular employee may be terminated for cause. Before termination for cause is undertaken, the Chief Administrator will make a careful analysis of all circumstances. The Chief Administrator will send his/her recommendation for termination to the College President for review. The College President will, if he/she concurs with the recommendation, request approval for the termination of the employee from the Vice Chancellor of Human Resources or designee. The employee will receive a written notification from the Human Resources Department of the termination. A regular employee may appeal his/her termination to the College President, Gateway/Estrella Mountain Community College, within five (5) working days of receipt of the written termination notice. The College President will provide the employee with an opportunity to present reasons, either in person or in writing, why he/she should not be terminated within five (5) calendar days of receiving the employee's appeal request.

- 10.5.3.** If the employee is recommended for termination, the employee may request a due process hearing. Such request shall be made in writing to the Vice Chancellor for Human Resources or designee within five (5) working days after the receipt of the notice of termination from the District Office Human Resources. If the College President's decision to terminate stands, the employee may request a post termination due process hearing. Such request shall be in writing to the VC for HR or designee within five (5) calendar days from the date the College President responded back to the employee (either in writing or in person).

- 10.5.4.** Upon a timely request, a Hearing Committee shall be constituted and shall be composed of the following; one (1) college president as recommended by the Vice Chancellor for Human Resources or designee, one (1) employee selected by the Chief Administrator, and one (1) employee selected by the employee.

- 10.5.5.** The Hearing Committee shall select a Chair. Unless the parties stipulate to extend the time beyond which is set forth below, the Chair shall conduct a meeting with

the employee and his/her representative no later than twenty (20) working days after the formation of the committee for the purpose of exchanging exhibits, witness lists and summaries of witness testimony. The Chair may choose to deny admission of an exhibit(s) or witness testimony for failure to comply with this section.

- 10.5.6.** Unless the parties otherwise agree, the Hearing Committee shall conduct the hearing no later than ten (10) working days after the exchange of information detailed in section 8.4.2. if applicable. Prior to the hearing, the employee must declare, in writing, whether he/she wishes the hearing to be made public or in closed session. The employee may attend the hearing; present testimony, evidence or statements, oral or written, in his/her behalf; and be represented by legal counsel or other representative.
- 10.5.7.** Within five (5) working days after completion of the hearing, the Hearing Committee shall provide the Vice Chancellor for Human Resources or designee with a written summary of the evidence that was presented during the hearing. In addition the Hearing Committee shall render binding written findings of fact and conclusions of law and forward same with its recommendation regarding the appropriateness of the dismissal to the Vice Chancellor for Human Resources or designee. The above deadline may be extended up to fifteen (15) working days after completion of the hearing if the Hearing Committee requests briefs and/or recommended findings of fact and conclusions of law from the parties.
- 10.5.8.** After receiving the Hearing Committee's summary of evidence, findings of fact and conclusions of law, the Vice Chancellor for Human Resources or designee may meet with the Hearing Committee to clarify the summary of evidence, findings of fact and conclusions of law. The Vice Chancellor for Human Resources or designee shall have ten (10) working days in which to review the recommendation regarding dismissal. The Vice Chancellor for Human Resources or designee may adopt the recommendation and forward same with the summary of the evidence, a copy of the findings of fact, conclusions of law and the Hearing Committee's recommendation to the Chancellor.
- 10.5.9.** The Chancellor may choose to meet with the employee and/or his/her representative and a representative of the administration in executive session (the employee may choose to have this meeting in public) to hear arguments regarding the appropriateness of the Vice Chancellor for Human Resources or designee's recommendation regarding dismissal. The length of the meeting shall not exceed one (1) hour.
- 10.5.10.** The Chancellor, at a public meeting, shall render the final decision regarding the employee's appeal. A copy of the final decision shall be sent (U.S. certified or registered mail) to the employee at his/her place of residence as recorded in District records.

10.6. Exit Interview

- 10.6.1.** When an employee is terminated, either voluntarily or involuntarily, an exit interview will be conducted by the Chief Administrator or designee.
- 10.6.2.** There are areas on the exit interview check sheet, regarding keys, equipment, ID cards and materials that must be signed off by the immediate supervisor. The exit interview check sheet will be filed with the Skill Center Human Services staff.

11. PERSONNEL FILES AND INFORMATION

The Maricopa/EMCC Southwest Skill Center will maintain the official personnel files, which will contain all materials relevant to the employee's employment. The files will be secured, and only authorized

personnel will be permitted to view them.

11.1. An employee will have the right to:

- 11.1.1.** Review the contents of his/her file upon request.
- 11.1.2.** Be notified in writing when material (other than of routine office nature) is being added to the file.
- 11.1.3.** Receive a copy of any derogatory or negative information placed therein.
- 11.1.4.** Submit a written response to be included in his/her personnel file whenever negative or derogatory information is placed in the file.
- 11.1.5.** Request that relevant documents be added to the file. (Relevancy will be determined by the Chief Administrator or designee.)
- 11.1.6.** Request the removal of all inappropriate and/or obsolete documents from the file. (The Chief Administrator or designee will determine what an inappropriate or obsolete document is.)

12. HIRING OF RELATIVES

Employees should review The Blue Book, An Essential Guide for Maricopans or see <http://www.maricopa.edu/publicstewardship/resources/bb.php>.

13. OBSERVANCE OF SAFETY

- 13.1. Accident Prevention.** Each employee is responsible for safety and accident prevention at the Maricopa/EMCC Southwest Skill Center.
- 13.2. Safety**
 - 13.2.2.1.** Each employee in the Skill Center shall comply with Arizona Occupational Health and Safety Standards.
 - 13.2.2.2.** Each supervisor is responsible for the following:
 - 13.2.2.2.1.** Posting in his/her classroom or work area the safety rules for that area and an emergency evacuation route.
 - 13.2.2.2.2.** Enforcing the safety rules with the students/employees.
 - 13.2.2.2.3.** Incorporating in the curriculum the accepted safety standards of that occupation and issuing safety equipment on the first day of class as appropriate for the cluster.
 - 13.2.2.2.4.** Reporting safety hazards in writing to the Chief Administrator or designee.
 - 13.2.2.2.5.** Complying with District, city, state, and federal safety standards.

14. EMPLOYEE BENEFITS

Employees should contact the District Compensations Department regarding the benefit categories listed below or see <http://www.maricopa.edu/employees/divisions/hr/benefits/index>.

14.1. Automated Benefits

- 14.1.1. District Contribution Amounts - refer to:**
<http://www.maricopa.edu/employees/divisions/hr/benefits/coverage/credits> (for flex credits and rate table)
<http://www.maricopa.edu/employees/divisions/hr/benefits/coverage> (for general information)

14.1.2. Industrial Compensation

Employees should contact the District Compensation Department or review The Blue Book, An Essential Guide for Maricopans or see <http://www.maricopa.edu/publicstewardship/resources/bb.php>.

14.1.3. Statutory Benefits

- 14.1.3.1.** Social Security
- 14.1.3.2.** Medicare
- 14.1.3.3.** Unemployment
- 14.1.3.4.** Workers compensation

14.2. Tax-Sheltered Accounts (TSA)

Employees should contact the District Compensation Department regarding Tax-Sheltered Accounts (TSA) or review The Blue Book, An Essential Guide for Maricopans or see <http://www.maricopa.edu/publicstewardship/resources/bb.php>.

14.3. Sick Leave

Employees should contact the District Compensation Department regarding sick leave or see <http://www.maricopa.edu/employees/divisions/hr/benefits/timeoff/sick/>. The sick leave policy is intended to protect employees from loss of income during periods of illness. Sick leave time may not be used for any other purpose. In any absence of three (3) consecutive working days or more, an employee must furnish proof of illness to the Chief Administrator or designee.

14.3.1. End-of-year reconciliation and reimbursement

- 14.3.1.1.** At the end of the calendar year, if an employee has accumulated days of sick leave, but has, during an earlier period of that calendar year, sustained loss of pay due to lack of sick leave credits, he/she will be reimbursed on the last pay period up to the actual accumulation. This privilege will not carry over to subsequent calendar years.
- 14.3.1.2.** An employee must authorize the Benefits Office in writing; ten (10) days prior to the last payroll date of the calendar year, to apply accumulated sick days.

14.3.2. Unused sick leave accrual

- 14.3.2.1.** At the end of a calendar year, unused sick leave will be carried forward to the succeeding year. There is no limit on the accumulation of sick leave that can be used for the employee's own illness.
- 14.3.2.2.** Unused sick leave, up to a maximum of sixty (60) days, will be reimbursed by the Skill Center at the rate of \$25.00 per day upon the employee's retirement if the employee has been employed at the Skill Center for seven (7) or more years. At the death of an employee, the heir(s) will receive the reimbursement for the unused sick leave according to the same formula.

14.4. Personal Time

- 14.4.1.** Personal time, not to exceed 4 days (32 hours for regular employees) per year (non cumulative), may be granted for a legal, professional, emergency, religious, or other unique activity that can be accomplished only on the day involved.

Examples may include assisting a relative in an emergency situation an appointment with a professional, a funeral, etc. Personal time does not need to be pre-approved. As much advance notice as possible should be given for scheduling purposes. Personal time is not to be used routinely to come in late or leave early from work. Personal time will be charged to the employee's sick leave.

14.5. Vacation

Employees should contact the District Compensations Department regarding vacation accrual or see <http://www.maricopa.edu/employees/divisions/hr/benefits/timeoff/vacation/>.

- 14.5.1.** Vacation time shall be earned by each regular staff member on the basis of length of service. (See section 14.5.2., rate of accrual.) Vacation is earned from July 1 through June 30 (the fiscal year).

14.5.2. Rate of Accrual

Vacations for all twelve (12) month eligible employees will be:

<u>Years of Service</u>	<u>Vacation Allowable</u>
Less than one (1) year	Pro rata
After one (1) year	Ten (10) working days/year (80 hours)
After three (3) years	Fifteen (15) working days/year (120 hours)
After five (5) years	Seventeen (17) working days/year (144 hours)
After seven (7) years	Twenty (20) working days/year (160 hours)

- 14.5.3.** Regular part-time employees will accrue vacation according to the following:

14.5.3.1. A regular employee employed on a twelve (12) month basis whose hours of work are less than eight (8) but four (4) or more a day will accumulate pro rata vacation time credits.

14.5.3.2. A regular employee, employed on a nine (9), nine and one-half (9 1/2), or ten (10) month basis will accumulate pro rata vacation benefits. Accumulated vacation must be taken during the work period.

14.5.3.3. An employee whose status is changed from a nine (9), nine and one-half (9 1/2), or ten (10) month basis will be eligible for that level of vacation allowable, computed against all years of continuous service at the less than twelve (12) months basis, appropriately prorated.

- 14.5.4.** An employee will have his/her vacation accruals begin on his/her service date. Accrual ranges for vacation will be credited on the service date anniversary.

- 14.5.5.** An employee will be allowed to extend his/her vacation to June 30 of the following year. No extensions will be granted beyond June 30. However, the employee may bank seven (7) days (56 hours) per year of his/her accumulated vacation. The total number of days to be banked may not exceed sixty (60) days (480 hours) over and above his/her regular vacation benefit.

14.6. Vacation Scheduling

- 14.6.1.** Supervisors are responsible for scheduling vacations in order to meet the administrative needs of their areas of responsibility. Consistent with such needs, employee preference will be given consideration.

14.6.2. Employees will be required to schedule their vacation at least two (2) weeks in advance. They may reschedule their vacation by submitting a revised request to their supervisor at least one (1) week in advance of their requested vacation dates.

14.6.3. Under unusual circumstances, vacation time may be approved by the Chief Administrator or designee.

14.7. Vacation Approval

14.7.1. All vacation requests must be reviewed for approval by the employee's supervisor and by the Chief Administrator designee. The employee will be notified in writing of the approval or disapproval of the vacation request within one (1) week of the submitted request.

14.7.2. Requests for eighty to one hundred twenty (80-120) consecutive hours or 10-15 days must be reviewed for approval by the Chief Administrator or designee.

14.8. Paid Holidays

Paid holidays are the following days on which no work will be required, but for which regular pay will continue for regular full-time employees with benefits.

Independence Day

Labor Day

Veteran's Day

Thanksgiving Day (and the day after)

Christmas Day through New Year's Day

Martin Luther King Day

Presidents' Day

Memorial Day

Spring Recess (Thursday and Friday)

14.9. Tuition Waivers

14.9.1. At District Colleges

Employees should review The Blue Book, An Essential Guide for Maricopans or see <http://www.maricopa.edu/publicstewardship/resources/bb.php>.

14.9.2. At Skill Centers

- Tuition and fee waivers are limited to the per-clock-hour cost of the program. Other fees, such as lab and book fees are not waived and must be paid by the employee.
- Employee tuition waivers for programs that do not conflict with the employee's regularly scheduled work hours, and dependent tuition waivers should be handled through the Skill Center Business Office.
- Spouses and dependent children of full-time employees must determine their eligibility for financial aid before tuition and fee waiver is approved.
- An eligible employee wishing to take a class/program that conflict with his/her normal working hours of accountability must obtain the signatures of his/her supervisor and chief administrator prior to presenting the completed form to the Business Office or appropriate fiscal office of the college where the classes are taken.
 - a) There will be a limit of two (2) clock hours per week unless approved by the supervisor and Chief Administrator.
 - b) The training must be offered only during the employee's regular work schedule.
 - c) Any change in the work schedule must have the approval of the

supervisor and Chief Administrator.

- d) Supervisor should consider flex schedules or the employee's may use vacation time.

14.10. Travel Reimbursement

Employees should review The Blue Book, An Essential Guide for Maricopans or see <http://www.maricopa.edu/publicstewardship/resources/bb.php>.

Accurate records and receipts, and an approved Travel Request Form submitted prior to departure, are essential for reimbursement.

15. LEAVES OF ABSENCE

Employees should contact the District Compensation Department regarding the benefit categories listed below or see <http://www.maricopa.edu/employees/divisions/hr/benefits/leaves> or review The Blue Book, An Essential Guide for Maricopans or see <http://www.maricopa.edu/publicstewardship/resources/bb.php>.

15.1. Family Medical Leave Act (FMLA) – refer to: <http://www.maricopa.edu/employees/divisions/hr/benefits/leaves>

15.1.1. For the duration of Family and Medical Leave, employees will not seek, nor be employed in outside employment during their hours of accountability. The Vice Chancellor for Human Resources or designee may grant exceptions for extenuating circumstances for individuals adversely affected by these provisions. In addition to the above, any service contract with MCCCCD will be canceled until the employee returns to work.

15.2. Leave of Absence for Medical or Personal Reasons

15.3. Military Leave for Military Training

15.4. Military Leave for Active Duty

15.5. Bereavement Leave

15.6. Catastrophic Illness/Imminent Death

16. JURY DUTY

Employees should review The Blue Book, An Essential Guide for Maricopans or see <http://www.maricopa.edu/publicstewardship/resources/bb.php>.

17. PROFESSIONAL GROWTH

17.1. Definition

Professional growth activities include participation in seminars, workshops, conferences, and educational programs.

17.2. Reimbursement

Employees should review the current Compensation for Educational/Seminar, Workshop, and Conferences Reimbursement Guidelines. Employees who benefit under this program are not eligible for Educational Advancement (see Section 2.5.) benefits.

17.2.1. Professional Growth Assistance Program

17.2.1.1. To assist a regular, full-time employee to improve his/her abilities and increase his/her potential to perform responsible jobs, the Skill Center has a Professional Growth Assistance Program available to employees who have satisfactorily completed the probationary

period.

17.2.1.2. If approved, a regular, full-time employee will be reimbursed for the cost of tuition if he/she pursues a course of job-related study offered by a college, university, or educational institution accredited by a nationally recognized agency or association. The employee must receive prior written approval by the immediate supervisor and Chief Administrator for each event or individual class. A grade of "C" or better in the course of study is required to receive reimbursement. Reimbursements will be made up to, but not to exceed, tuition costs at major in-state public universities. Employees should review the current guidelines regarding tuition reimbursement limits and total award limits.

17.2.1.3. Regular part-time employees who work twenty-five (25) to thirty (30) hours per week are eligible for reimbursement up to 50% of the costs, as outlined above, with the prior approval of the supervisor and/or the Chief Administrator.

17.2.2. Seminars, workshops, and conferences

17.2.2.1. Regular full-time employees who participate in seminars, workshops, and conferences will be reimbursed up to the cost of the program, with the prior approval of the supervisor and/or Chief Administrator.

17.2.2.2. Regular part-time employees who work twenty-five (25) to thirty (30) hours per week, who participate in workshops and conferences, will be reimbursed up to 50% of the cost of the program, with the prior approval of the supervisor and/or Chief Administrator.