



# Personnel

## *Policies and Administrative Rules*

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**BOARD POLICY 3.0: EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT**

*Adopted 11/9/03*

*Revised 11/8/05(RF), 8/13/13(RF), 2/11/14, 12/11/18*

Eastern Wyoming College is dedicated to providing opportunities and recognizing the talent of all people within this institution. There is a commitment to a policy of equal employment opportunity for all persons on the basis of merit without regard to race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age, marital status, political belief, veteran status, disability, or genetic information.

In accordance with the policy, Eastern Wyoming College affirms its commitment to non-discrimination in its employment practices as they relate to recruitment, hiring, selection, screening, testing, training, compensation, promotions, employment benefits, educational opportunities, access to programs, work assignments, application of discipline, access to grievance procedures, and any and all other conditions of employment which are provided by Eastern Wyoming College policy, regulation, rule or practice.

**Administrative Rule 3.0.1: Equal Employment Opportunity Policy Statement**

*Adopted 11/09/03*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16*

**Applicability & Implementation.** All administrators, faculty and staff committees and others involved in employment decisions will comply with this policy. The Director of Human Resources is responsible for administering and coordinating the College's Equal Employment Opportunity Program.

**BOARD POLICY 3.1:      NONDISCRIMINATION ON BASIS OF DISABILITY**

*Adopted 11/10/92*

*Revised 11/8/05(RF), 8/13/13(RF)*

*Reviewed 10/9/18*

Eastern Wyoming College does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. The Office of Human Resources has been designated to coordinate compliance with the nondiscrimination requirements contained in section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA Coordinator.

**Administrative Rule 3.1.1:      Americans with Disabilities Act Grievance Procedures**

*Adopted 11/10/92*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16*

Eastern Wyoming College has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity.

Complaints should be addressed to: ADA Coordinator, Office of Human Resources, 3200 West C, 532-8330, who has been designated to coordinate ADA compliance efforts.

1. A complaint should be filed in writing or verbally, containing the name and address of the person filing it, and briefly describe the alleged violation.
2. A complaint should be filed within ten (10) days after the complainant becomes aware of the alleged violation.
3. An investigation, as may be appropriate, shall follow the filing of the complaint. The investigation shall be conducted by the Grievance Review Committee. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any an opportunity to submit evidence relevant to the complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any shall be issued by the investigation individual and a copy forwarded to the complainant no later than forty-five (45) days after its filing.
5. The ADA Coordinator shall maintain the files and records concerning all complaints which are filed.
6. The complainant can request a reconsideration of the case in instances where the complainant is dissatisfied with the resolution. The request for reconsideration should be made within seven (7) days to the ADA Coordinator.
7. This procedure shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure compliance with the Americans with Disabilities Act.

**BOARD POLICY 3.2: APPOINTMENT OF FACULTY AND STAFF**

*Adopted 1/25/00*

*11/8/05(RF), 8/13/13(RF), 12/10/19*

The Board extends to the College President the authority to employ individuals for full-time positions located on the classified salary schedule and for part-time positions. Appointments of full-time members of college faculty, professional, and administrative staff are made by the College Board. Candidates shall be recommended to the Board by the President of the College. All contracts shall be issued in the name of the Board and subject to the policies of the Board and Eastern Wyoming College.

**Administrative Rule 3.2.1: Appointment of Faculty and Staff**

*Adopted 1/25/00*

*Revised 11/8/05(RF), 8/13/13(RF), 1/4/16, 4/4/16, 7/25/16, 7/21/17, 11/17/17, 5/10/18, 12/10/19*

**Employee Categories.** The College utilizes benefitted ( $\geq 20$  hours weekly) and non-benefitted ( $< 20$  hours weekly) employees to accomplish its mission. There are four categories of benefitted employees:

- a. **Administrators.** These employees are Associate Vice President (AVP) and above. Vice Presidents and the President are further defined as Executive Administrators. All administrators are FLSA Exempt. EWC issues AVPs annual Appointment Letters. The Executive Administrators are at-will, annual renewing contract employees.
- b. **Faculty.** These employees are instructors. EWC issues all Faculty annual contracts. Faculty are tenured and non-tenure-track. All faculty are FLSA Exempt.
- c. **Professional.** These employees are Coordinators and Directors (or variations thereof). EWC issues these personnel annual Appointment Letters. Professional staff are FLSA Exempt.
- d. **Classified.** These employees are mostly Service/Craft Workers, Technicians, and Specialists. These personnel are issued annual Appointment Letters. Classified staff are FLSA Non-Exempt.

**Application Requirements.** Candidates for employment must provide the Office of Human Resources with the appropriate credentials according to the position for which they are applying. Employees with foreign academic credentials who will perform for credit instructional duties must have their credentials evaluated for US equivalency, at their own expense, by an approved credential evaluation service and ensure those results are transmitted to Human Resources. The College may disqualify candidates from employment consideration, or terminate their employment, who knowingly submit incomplete, false, or inaccurate information in their application materials.

**Hiring/Retention of Foreign Workers.** EWC may hire qualified candidates to fill specialty occupation vacancies that require a bachelor's degree or higher. Such hired candidates may begin employment if they possess a federal employment authorization document (EAD) obtained through their non-immigrant visa (e.g. F-1 OPT). EWC may sponsor foreign candidates who do not possess an EAD for an H-1B visa. Premium processing will be used if the projected date-of-hire is less than 100 days from the signed Employment Offer.

EWC may sponsor eligible, non-citizen employees for permanent residence or H-1B renewal upon their supervisor's written recommendation. Such hired foreign workers must possess recent written satisfactory performance assessments of their assigned duties and no documented warnings in their Personnel File.

Per US immigration law, EWC will pay H-1B visa and permanent residency fees as required by federal statute for employees and foreign candidates with a signed Employment Offer and contract (if applicable). Expenses not mandated by federal law to employers are the responsibility of the employee or candidate. Mandatory fees paid by the employer for hiring or retaining a foreign worker cannot be recovered as a penalty or wage deduction upon employment termination, by either party, regardless of the length of time served. Such action violates Title 20 of the Code of Federal Regulations (CFR) sections 655.731(c)(9) and (10) and 656.12.

The recruitment, termination (initiated by employer or employee), and length of employment service of foreign workers will be in accordance with federal immigration laws and Board Policies. Federal statutes and CFR supersede College policies and rules.

**Background Checks.** EWC conducts pre-employment background checks, at its own expense, of all final-candidate employees to help determine an applicant's overall employability. These checks are performed during the hiring process to promote a safe and secure environment for EWC, its students and staff. The checks will be initiated for full-time employees after Human Resources (HR) receives signed acceptance of any employment offer and for part-time employees after Supervisors have informed HR of their selected candidates. Employment of all full and part-time employees, to include paid non-Work Study student employees, on-campus Adjunct Instructors, assistant athletics coaches, Community Education instructors, and non-paid volunteers, is contingent upon successful completion of a background check. EWC employment may not begin until the background check is complete and the results have been reviewed by HR.

Background checks will be conducted by a third party agency. The HR director will determine the scope of the background check but verification may include past employment, professional and personal references, education records, issued SSN, criminal history, driving record, and sex offender registry.

Before conducting a background check, EWC will provide written notice to the applicant that a background check will be performed and the results may be used to base a decision regarding his or her employment. EWC will acquire written authorization, on a separate form, from selected final candidates and inform them background check information will be used solely for employment purposes. Refusal to sign the Disclosure and Authorization Regarding Background Investigation for Employment Purposes Form constitutes a rejection of the employment offer.

Background checks are regulated by state and federal law, to include the Fair Credit Reporting Act, the Americans with Disabilities Act, and Equal Employment Opportunity legislation. A candidate may be disqualified as a result of the background check. However, results cannot be used as a basis for denying employment unless it is determined to be due to job-related issues or business necessity. Results that are job-related or of a business necessity will be addressed on an individual case-by-case basis led by HR and may include the position's supervisory chain. HR will notify the candidate when the background check results in a decision where the candidate is no longer being considered for employment.



Access to a candidate's background report is strictly limited to HR and the candidate themselves. The Background Check report is highly confidential and will be filed separately, and kept in a locked cabinet, separate from the individual's Personnel Folder. As required by law, Background Check results will be retained for two years and then destroyed.

**Orientation & In-Processing.** All new employees will participate in an orientation session with the Director of Human Resources where all EWC Personnel Policies will be reviewed. New instructional faculty will also participate in a new faculty orientation with the Chief Academic Officer. Employment forms must be filed with the Human Resource Office before the employee can be entered on the regular payroll.

Personnel below the level of Executive Administrator shall serve a probationary period according to Administrative Rule 3.2.4

**Administrative Rule 3.2.2:      Appointment and Advancement of Benefitted Employees**

*Adopted 3/8/05*

*Revised 11/8/05(RF), 2/5/08, 3/11/08, 1/12/10, 8/13/13(RF), 4/4/16, 10/24/16, 7/21/17, 11/27/17, 5/10/18, 12/10/19*

**Appointment Letters.** All non-faculty benefitted employees below the Executive Administrator level will be issued letters of appointment annually. The letters of appointment will reflect the position title, salary, annual service commitment, and probationary period end date (if applicable). Appointment letters will be sent on a continuing basis each year that the position is needed and resources are available.

Candidates for employment must provide the Human Resources Office with the appropriate credentials according to the position for which they are applying. Foreign credentials and transcripts must be accompanied by a statement of US equivalency from an approved evaluation service. Results of a physical and mental examination by a physician within the past year may be required following the offer of employment.

**Reimbursements.** Individuals coming to campus to interview for faculty, professional staff or administrative positions will be reimbursed up to \$1,000 in travel expenses, payable upon presentation of receipts. Teaching faculty, administrators, and professional staff are eligible for reimbursement of moving expenses resulting from their initial employment at Eastern Wyoming College. Moving expenses reimbursement (per IRS guidelines), reported by EWC on your annual W-2 Form, shall not exceed \$1,000 and expenses must be verified with receipts; payment will be made after the date-of-hire during the next bill-pay cycle. Employees must repay any relocation expenses paid by the College if they do not begin EWC employment according to their signed Employment Offer and contract (if applicable). Interview and moving expense reimbursements will not be paid if funds are unavailable. The maximum reimbursement amounts may be reduced by Human Resources to meet budgetary constraints. For specific procedures, contact the Director of Human Resources.

All new employees will participate in an orientation session with the Director of Human Resources where all EWC Personnel Policies will be reviewed. New instructional faculty will also participate in a new faculty orientation with the chief academic officer. Employment forms must be filed with the Human Resources Office before the employee can be entered on the regular payroll.

**Advancement.** There are three general methods for benefitted employees to advance on the salary schedule: 1) by institutional compensation adjustments authorized by the Board of Trustees, 2) by earned Professional Development Units, or 3) by moving to a different position at a higher level within the college. Faculty members may also advance on the salary schedule by completing a master's degree or doctoral degree at an accredited educational institution. Current classified employees transferring to a classified position at a higher Decision Band Method (DBM) level, either through a promotion offer or competitive search, will be placed on the salary schedule at the new position level (up to Step 3) or granted a \$1,200 annual salary increase, whichever is greater. Classified staff position upgrades/reclassifications will be placed on the salary schedule at the new DBM level (up to Step 5) or granted a \$1,200 annual salary increase, whichever is greater.

**Reclassifications.** Professional and Classified staff positions may be reclassified to a new DBM if the position's scope and assigned duties /responsibilities have changed significantly. In these cases, the President must approve all reclassifications but only after Human Resources has led and ensured completion of the Position Description Questionnaire and DBM analysis processes and the College President has concurred with the reclassification recommendation.

**Administrative Rule 3.2.3:      **Interim Appointments****

*Adopted 1/25/00*

*Revised 11/8/05(RF), 12/8/09, 8/13/13(RF), 12/10/19*

In the event of the absence of full-time employees for an extended period of time (a minimum of six weeks), the duties of the position may be temporarily reassigned. The replacement employee must assume all duties and responsibilities of the position to be considered under this rule.

Requests for interim appointments must be submitted to the Human Resources Office, reviewed by the President's Leadership Team and approved by the College President.

**Administrative Rule 3.2.4:      **Probation Period****

*Adopted 1/25/00*

*Revised 11/8/05(RF), 12/8/09, 8/13/13(RF), 4/4/16, 7/21/17, 12/10/19*

Non-faculty employees who are at least half-time (20 hours or more weekly) and are below the level of Executive Administrator and have been newly hired or have changed positions within the college, shall serve a probationary period of one year. The probationary period is part of the selection process. Its purpose is to give the new employee an opportunity to demonstrate his/her willingness, dependability, team working skills, and ability to learn and perform job duties satisfactorily.

Before the end of the probationary period, the supervisor shall submit a written evaluation to their supervisor concerning continued employment of the probationary employee. This recommendation shall be discussed with the employee and a written copy given to him/her.

If it is determined that the employee's performance indicates a capability to become a satisfactory performer and merits retention in the position, the employee shall be a regular employee with rights of appeal.

The probation period may be extended for an additional 30 days at the discretion of the Human Resources Officer. The College President may extend the probation period an additional 6 months.

The fact that an employee is in the probation period for a specific period of time is no indication of continued employment for the entire period. If an employee's work is not satisfactory, he or she may be dismissed at any time during the probationary period without cause assigned or right of appeal. After the probationary period dismissals may be for cause.

**BOARD POLICY 3.3: CONTINUING CONTRACT/TENURE**

*Adopted 8/13/91*

*Revised 11/8/05(RF), 2/2/10, 8/13/13(RF), 12/10/19*

Tenure is a policy of the College Board rather than a legal contract. The Board extends to the College President the authority to grant tenure for instructional employees.

**Administrative Rule 3.3.1: Continuing Contract/Tenure**

*Adopted 8/13/91*

*Revised 11/8/05(RF), 2/2/10, 8/13/13(RF), 5/14/19, 5/21/19, 12/10/19*

Faculty will be hired for a term that will not exceed one year. Each spring an additional annual Employment Contract may be offered to the faculty at the discretion of the College President. The College President shall consider tenure for faculty after their tenure process. Faculty with dates-of-hire prior to **2019** will adhere to the five-year tenure process previously in place. New faculty hired **beginning fall 2019** semester or thereafter will adhere to the three-year tenure process. Refer to the Faculty Handbook for a full description of both tenure processes. Adjunct employment and summer terms do not contribute toward tenure. Faculty may request to stop the non-tenure clock once, for a maximum of one year (i.e. two semesters), during the three-year process; after approval from the College President.

If tenure is not achieved at the end of three or five consecutive years' classroom experience (depending on date of hire), then the faculty will be dismissed. However, due to special or extenuating circumstances, the College President may grant one additional year of non-tenure status to assess possible tenure status.

After tenure is received, a faculty member has the right to hold the position during efficient and competent service and the right not to be removed therefrom except for such causes as incompetency, neglect of duty, physical or mental causes, incapacity, dishonesty, insubordination, immorality, conviction of a felony, or for bonafide financial exigencies on the part of the institution.

Should the faculty be promoted to an administrative position, earned faculty tenure rights do not accompany the employee to his or her new position. When a faculty employee resigns or otherwise voluntarily leaves employment with EWC, that faculty's tenure rights, status, and expectations end with their date of resignation.

**Administrative Rule 3.3.2: Faculty Rank/Position Titles**

*Adopted 4/29/19*

*Revised 12/10/19*

EWC awards Position Titles/academic rank to benefitted faculty based –on three criteria: 1) education level; 2) service to the College; and 3) completion of Professional Growth and Development activities. There is no connection between a faculty's salary and their rank/Position Title. Increased rank denotes the increased value of the faculty member to Eastern Wyoming College. See Appendix F for the Faculty Rank names, their associated criteria, and how to initiate the Position Title change process.

**BOARD POLICY 3.4:     **EMERITUS AND HONORED RETIREE STATUS****

*Adopted 7/20/05*

*Revised 11/8/05(RF), 8/13/13(RF)*

*Reviewed 10/9/18*

Upon recommendation of the College President, the Board of Trustees may award Emeritus Status to retired administrators at the Associate Executive Administrator level or higher and instructional faculty or Honored Retiree Status to retired non-instructional employees who have dedicated many years of service to Eastern Wyoming College.

**Administrative Rule 3.4.1:     **Emeritus and Honored Retiree Status****

*Adopted 7/20/05*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16, 5/26/20*

**Emeritus Process.** Upon notification of an employee's termination with Eastern Wyoming College, the Human Resources Office certifies that the employee meets the minimum eligibility requirements for Emeritus Status or Honored Retiree Status.

The names of eligible faculty are submitted to the Curriculum and Learning Council, who will elect them to Emeritus Status by a 2/3 majority vote. This will be done by secret ballot. Names of successful candidates will be recommended to the College President and then to the College Board of Trustees at its regular June meeting.

The names of eligible administrators are submitted to the President's Leadership Team, who will elect them to Emeritus Status by a 2/3 majority vote. This will be done by secret ballot. Names of successful candidates will be recommended to the Board of Trustees by the College President at the regular June Board meeting.

**Honored Retiree Process.** The names of eligible staff are submitted to the President's Leadership Team, who will elect them to Honored Retiree Status by a 2/3 majority vote. This will be done by secret ballot. Names of successful candidates will be recommended to the Board of Trustees by the College President at the regular June Board meeting.

**Eligibility.** Eligibility requirements for Emeritus Status and Honored Retiree Status are:

Employee has completed at least 15 years of uninterrupted service.

Employee occupies a benefitted position.

**Privileges.** Emeritus Status or Honored Retiree Status provides the same privileges awarded benefitted personnel in the areas of EWC tuition waivers, bookstore discounts, cosmetology discounts, and athletic event passes. Fitness center membership will adhere to Administrative Rule 3.8.7.

An identification card will be issued to Emeritus and Honored Retirees at the time of resignation.

**BOARD POLICY 3.5: EMPLOYMENT**

*Adopted 8/13/91*

*Revised 11/08/05(RF), 8/13/13(RF), 12/8/20*

*Reviewed 10/9/18; 12/8/20*

Prospective employers, financial institutions, residential property managers and others routinely contact employers, including Eastern Wyoming College, for information on a former or current employee’s work history and salary.

All such requests of this type should be referred to and handled by the Human Resource (HR) office. Responses to written requests for verification of employment will be made on the form provided only when the request is accompanied by a former or current employee’s signed authorization to release such information and shall only be provided by Human Resources

**Administrative Rule 3.5.1: Employment and Service outside the College**

Outside employment and service of Eastern Wyoming College employees, with or without compensation, shall not interfere with the employee’s specified college duties and effective service to the institution.

Regulations governing the employment and services of faculty and staff members of Eastern Wyoming College are as follows:

The College does not assume any responsibility for outside services rendered by its employees.

**Administrative Rule 3.5.2: Retirement and Resignation of Benefitted Employees**

*Adopted 4/24/17*

A two-week notice is the industry standard and professional norm for employees who resign or retire to pursue other opportunities. This rule does not apply to employees participating in EWC’s Early Retirement Program (Board Policy 3.17).

**Professional & Classified:** Personnel who retire or resign from EWC will receive a one-time \$150 cash incentive paid by the College if their supervisor receives the employee’s resignation/retirement letter 28 calendar days before their final duty day.

**Faculty.** Personnel who retire or resign from EWC will receive a one-time \$150 cash incentive paid by the College if their supervisor receives the faculty member’s resignation/retirement letter 60 calendar days before their contract expiration.

**Administrative Rule 3.5.3: Employment Verification Requests**

*Adopted 7/27/18*

*Revised 10/29/18*

In order to promote privacy, safeguard employee personal information, avoid identity theft, and ensure Verification of Employment (VOE) requests are legitimate, HR will adhere to the following steps when processing and responding to inquiries according to its schedule and workload:

Require formal documentation for any VOE requests beyond acknowledgement of publicly available information (e.g. Employee, Duty Title).

Ensure formal documentation is complete, signed, and contains the employee's/former employee's Social Security Number or other verifying personally identifying data.

Confirm with current employee they are doing business with the VOE entity/requester.

Only provide current or historical data that does not exceed employment start/stop dates, duty title(s), dates of multiple positions, fiscal year salary, contract/appointment duration, and assigned department/work center.

**BOARD POLICY 3.6: PUBLIC SERVICE LEAVE**

*Adopted 11/10/92*

*Revised 11/8/05(RF), 8/13/13(RF)*

*Reviewed 10/9/18*

Eastern Wyoming College encourages public service participation by its employees.

**Administrative Rule 3.6.1: Community Service Leave**

*Adopted 5/14/02*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16, 7/21/17*

Community service leave may be granted by immediate supervisor for, but not limited to, duties as a volunteer firefighter, member of a search & rescue team, and emergency medical or disaster team. Time away from college duties for the aforementioned emergency activities may be made up or deducted from appropriate accrued leave, such as personal leave, vacation, or leave of absence without pay.

Community service leave for non-emergency activities must be deducted from appropriate accrued leave, such as community service or personal leave under Health/Wellness Leave Policy 3.15, Paid Leave Policy 3.21, or Leave of Absence Without Pay Policy 3.7.

If community service and resultant absences adversely affect the capability of the employee to fulfill his/her contractual obligation and/or job requirements as determined by the College Board, the employee's contractual status will be re-evaluated.

**Administrative Rule 3.6.2: Witness/Jury Duty**

*Adopted 2/14/95*

*Revised 11/8/05(RF), 8/13/13(RF), 1/29/18*

Service to the legal court system is one of the civic duties that employees may, from time to time, be called upon to perform. An employee summoned for official jury duty or when called as a subpoenaed witness shall inform his/her supervisor of the dates and times of the commitment as soon as practicable. A copy of the summons or subpoena shall be given to the supervisor.

Time away from work is granted with pay during the period of official jury duty or when called as a subpoenaed witness in the capacity of a private citizen less the amount of the jury/witness stipend (not travel/lodging/living expense reimbursements). These amounts must be paid/turned-in to the College. Alternatively, the employee may receive their full College pay and keep any/all stipends and reimbursements by taking Paid Leave, Unpaid Leave, or using Personal Days under H/W Leave during the period of jury or witness duty.

If the employee is called as a College witness, the employee cannot accept the witness pay or the expense reimbursements, since the employee receives full pay and expense reimbursement from the College during this period. The employee may elect to keep witness pay only by taking Paid Leave, Unpaid Leave, or Personal Leave † days from their Leave and paying expenses incurred.

Upon completion of jury duty, a certificate of attendance from the Clerk of the Court must be submitted to Human Resources.



**Administrative Rule 3.6.3: Political Leave**

*Adopted 11/10/92*

*Revised 11/8/05(RF), 8/13/13(RF)*

1. No fulltime employee may also hold a fulltime elected position. Fulltime employment ceases upon assuming such elective office.
2. Political Leave must be in the form of leave of absence without pay or other paid leave as is appropriate to the individual.
3. Persons requesting Political Leave must submit and have approved by the appropriate supervisor, college president, and College Board a Political Leave work plan.
4. If political service and resultant absences adversely affect the capability of the faculty and/or the staff member to fulfill his/her contractual obligation and/or job requirements as determined by the College Board, the employee's contractual status will be re-evaluated.
5. The faculty/staff member may continue benefits with the college during political leave. Personnel meeting the job description qualifications shall be sought as temporary replacements and must be approved by the Supervisor and the College President.

**Administrative Rule 3.6.4: Volunteer Services by Employees**

*Adopted 11/13/07*

*Revised 8/13/13(RF)*

EWC encourages employees to support College activities.

Permission to help with college activities during regular working hours must be approved by the employee's immediate supervisor prior to the activity. The Absence must not adversely affect the employee's contractual obligation or job requirements.

Employees who participate in College activities during the regularly scheduled workday will not be expected to make up the time missed.

Employees may also volunteer their services to EWC, outside of the regular workday without compensation, provided such services are not the same type of services that the individual is employed to perform.

**BOARD POLICY 3.7: LEAVE OF ABSENCE WITHOUT PAY**

*Adopted 5/9/95*

*Revised 11/8/05(RF), 8/13/13(RF)*

*Reviewed 10/9/18*

A leave of absence without pay may be granted at the discretion of the College President.

Eastern Wyoming College adheres to the Family Medical Leave Act as it pertains to leave of absence without pay regarding family medical leave.

**Administrative Rule 3.7.1: Leave of Absence Without Pay**

*Adopted 5/9/95*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16*

1. To qualify for a leave of absence without pay a person must be a full-time employee in good standing with five years of service to the College. Leave of absence for a person with less than five years of service to the College may be granted under extenuating circumstances by special petition to the College President.
2. Parental leave is an exception to the five-year requirement.
3. Leaves of absence without pay may be granted for the following reasons:
  - a. Educational/Professional purposes deemed beneficial to the college.
  - b. Extended or debilitating illnesses.
  - c. Extenuating circumstances if the college does not suffer adverse effects for the leave.
  - d. Parental Leave as defined in Administrative Rule Health/Wellness 3.15.1.
  - e. Family Medical Leave
4. Length of leave will not exceed one calendar year.
5. Benefits are available as if the employee were on campus fulfilling his/her contract obligation, however, they will be at the recipient's expense. In the case of an involuntary leave of absence, the Board of Trustees may, at its discretion, elect to pay for benefits. Leave benefits do not accrue during leave of absence.
6. Instructional Employees --If an academic year leave is granted the recipient must inform the supervising official(s) by the following March 1, of intentions of returning to the previously held position. If a one-semester leave is granted, the recipient must inform the supervising official(s) by October 1, or March 1, whichever is appropriate for the semester following, of intentions of returning to the previously held position.
7. Non-instructional Employees -- The recipient must inform the supervising official(s) two months prior to his/her scheduled return to the previously held position.
8. A leave of absence of one academic term or longer does not constitute an equal time of service and cannot be applied toward continuing contract status nor will it be applied toward movement on the salary schedule.
9. Parental leave without pay may be used to supplement benefits as defined in the Health/Wellness Administrative Rule 3.15.1. Parental leave shall not exceed four months in any combination of paid or unpaid leave. Employees may request additional leave under item 3.c of this administrative rule.

**BOARD POLICY 3.8: PROFESSIONAL GROWTH AND DEVELOPMENT**

*Adopted 7/20/05*

*Revised 11/8/05(RF), 8/13/13(RF), 9/11/18*

The Eastern Wyoming College Board of Trustees encourages professional growth and development of its employees.

Professional growth and development benefits include: formal recognition of professional development activities, the opportunity to receive salary schedule advancement, cost reimbursements for educational activities (e.g. workshops, conferences, credit course, etc.), long and short term professional development leave, and reduced tuition for EWC classes.

Records related to professional growth and development are kept in the employee's personnel file and managed by the Human Resources office.

**Administrative Rule 3.8.1: Formal Recognition of Professional Development for All Employees**

*Adopted 7/20/05*

*Revised 11/8/05(RF), 8/7/07, 8/13/13(RF), 6/9/15, 7/25/16, 11/28/16, 2/27/17, 6/25/18*

All EWC employees are eligible to request formal and public recognition of professional development activities and inclusion of that recognition within their personnel file. Such activities may relate to any aspect of the employee's career or personal interests. *Application for Professional Development Recognition and Salary Advancement* forms are available from the Human Resources office and electronically and should be submitted after the completion of the activity, accompanied by proof or certificate of completion.

**Criteria**

Professional development activities appropriate for formal recognition include: academic credit, technical and continuing education, internships, field experience, research projects, workshops, seminars, conferences, special projects, and publications.

**Process**

- If the application form is not approved and signed by the supervisor, the individual may appeal to the College President for approval.
- Activities must be completed during employment at Eastern Wyoming College.

**Administrative Rule 3.8.2: Salary Schedule Advancement for Benefitted Employees**

*Adopted 7/20/05*

*Revised 11/8/05(RF), 8/13/13(RF), 6/25/18*

Benefitted EWC employees are eligible for salary schedule advancement resulting from professional development activities. Such advancement will be reviewed by the Human Resources Director by the first business day of March and the related activities must be scheduled for completion and verified by the second Monday of April in the current fiscal year in order to be considered in the next fiscal year's budget. Salary schedule advancement cannot be granted until verification of activities.

Salary schedule advancement is subject to the availability of funds and board approval. In the event it is determined funds are not available, employees who have earned a salary advance will be placed on a chronological wait list based on HR's verification of activity completion. Salary advancement will not be paid in arrears. The Human Resources Director will consult with the program manager for any grant-funded programs before awarding salary schedule advancement for grant-funded employees. Applications are available from the Human Resources office and electronically.

For the purposes of this policy, **faculty** are defined as all benefitted employees whose primary function is related to direct teaching duties or direct teaching support and who are assigned instructional duties by employment contract. This definition specifically includes Department Heads, Program Directors and other instructional personnel who may have less-than-full-time teaching responsibilities.

### Criteria

- a. Professional development activities considered for salary schedule advancement include: academic credit, technical and continuing education, internships, field experience, research projects, workshops, seminars, conferences, special projects, and publications and require prior approval from the employee's immediate supervisor.
- b. Faculty members with doctorates or an Ed.S. and qualifying professional and classified staff may use salary schedule units to move **horizontally** two steps on the salary schedule for each 15 units earned up to the salary range maximum. See "Example Salary Schedule" within this rule.
- c. Faculty may use salary schedule units to move **vertically** one level on the salary schedule for each 15 units earned. Degree requirements at levels 3 (Master's) and 7 (Doctorate) must be met. See "Example Salary Schedule" within this rule.
- d. Faculty members with doctorates, classified employees (Bands A and B), and professional employees (Bands C and above) each have a maximum lifetime limit of two salary schedule moves during their employment at those levels.

### Process

- a. Employees must submit an *Application for Professional Development Recognition and Salary Advancement* to their supervisor for approval. All approved applications will be returned to the employee. If the activity is not approved and signed by the supervisor, the individual may appeal to the College President for approval.
- b. The application form and verification of participation for completed activities must be submitted to Human Resources by the second Monday of April to be considered for salary advancement in the next fiscal year. Please see the "Professional Development Activity Guidelines" (Appendix A) within this rule for methods of verification. Such activities must be verified with Human Resources within twelve (12) months of activity completion. Earned PDUs in excess of the thresholds allowed for salary advancement per Appendix A will be carried over in the same activity type for the next or any subsequent salary advancement.

Example Salary Schedule  
Based on EWC Salary Structure adopted 2011

Faculty

Range	Education	Current Step					
1	Bachelor's Degree	↓ ↓ ↓ ↓ ↓ ↓					
2	Bachelor's +15 units						
3	Master's Degree						
4	Master's +15 units						
5	Master's +30 units						
6	Master's +45 units						
7	Doctoral Degree or Ed.S.	↓		Step+1	Step+2 (+15 units)	Step+3	Step+4 (+15 units)
			\$ X	skip	X * 5.0%	skip	(Step+2) * 5.0%



Non-Faculty

DBM Wage Band	Current Step	Step+1	Step+2 (+15 units)	Step+3	Step+4 (+15 units)
A	\$ Y	skip	Y * 5.0%	skip	(Step+2) * 5.0%
B					
C	\$ Z	skip	Z * 5.0%	skip	(Step+2) * 5.0%
D					
E					



**Administrative Rule 3.8.3: Professional Development Cost Reimbursement for Benefitted Employees**

*Adopted 7/20/05*

*Revised 11/8/05(RF), 8/13/13(RF), 6/25/18, 6/29/20*

Benefitted EWC employees are eligible for reimbursement (full or partial) of authorized expenses for professional development activities directly related to the applicant's current position; however, all coursework from an EWC recognized accredited or licensed institution for a degree program that advances the applicant's highest-earned degree will be considered regardless of current position. Applications for Cost Reimbursement of expenses not covered by the employee's assigned work center will be reviewed by the Professional Development Committee (PDC) for approval in the order of receipt and the related activities must be completed by June 30th of the current fiscal year. Original expense receipts are required for reimbursement. Applications are available from the Human Resources office and electronically.

## Criteria

- a. Professional development activities appropriate for cost reimbursement include academic credit, technical and continuing education, internships, field experience, research projects, workshops, seminars, conferences, special projects, and publications. Such activities must start and/or be completed within the current fiscal year (starting July 1 and ending the following June 30).
- b. Expenses for event registrations, tuition, course fees, books, and required supplies for classes will be approved, as funds are available. Expenses for entrance exams, tools, meals, lodging, or transportation will not be approved.
- c. Expenses for sports, games, or hobbies will not be approved unless they are part of an approved long-term professional development leave program.

## Process

- a. Employees may submit an *Application for Cost Reimbursement* to the PDC beginning the first business day of May (prior to the fiscal year of reimbursement) through the last business day of the following April. Applications for cost reimbursement from publications must be submitted **after publication** has occurred; applications for all other activities may be submitted either prior to the start or before the April due date. If the activity is not approved and signed by the supervisor, the individual may appeal to the College President for approval.
- b. Applications may be submitted to the PDC administrative assistant during regular business hours and will be hand-stamped with date and time of receipt, or applications may be submitted electronically as an e-mail attachment to the PDC ([pdcc@ewc.wy.edu](mailto:pdcc@ewc.wy.edu)) with e-mail timestamp used to determine order of receipt.
- c. Approved expenses must be verified by receipt before payment will be made. Payments will be disbursed for actual amounts if less than the amount approved.
- d. Employees awarded cost reimbursement who are unable to provide activity completion evidence to the Professional Development Committee or, for voluntary, non-emergent reasons do not fulfill their current contract/appointment for the ongoing academic or fiscal year agree to repay all money allocated to them through payroll deduction. The College President will consider case-by-case exceptions.
- e. Each employee may receive up to \$1,000 reimbursement within a fiscal year, as funds are available. Up to \$500 will be reimbursed per approved application prior to and during the May meeting of the PDC. If funds are available at the end of the May meeting of the PDC, they will be disbursed in a pro-rated manner to all approved applicants of over \$500 in reimbursements. (Formula: Award to Applicant X = (Amount > \$500 of approved Applicant X reimbursement) / (Sum of all amounts > \$500 of approved reimbursements) \* Funds Available
- f. The cost reimbursement budget will be allocated at 60% for faculty use and 40% for use by non-faculty. Both faculty and non-faculty cost reimbursement funds will designate 65% for expenses related to coursework and technical and continuing education, and 35% for expenses related to

Internships, field experience, research projects, workshops, seminars, conferences, special projects, and publications. Unused cost reimbursement funds remaining on the first business day of May will be available to applicants of either faculty or non-faculty classifications, regardless of the funds' allocation or designation.

**Administrative Rule 3.8.4: Professional Development Leave of Absence for Benefitted Employees**

*Adopted 7/20/05*

*Revised 11/8/05(RF), 8/13/13(RF), 6/25/18*

Professional development leave of absence is provided for benefitted EWC employees in order that they may engage in educational pursuits that will contribute to their personal growth and to the needs of the College. Short Term Professional Development Leave is defined as leave for ten working days or less. Long Term Professional Development Leave is defined as leave for more than ten working days.

**Short Term Leave** - Benefitted EWC employees are eligible for short term professional development leave at the discretion of their individual department supervisors. Supervisors must approve any related absences and their department will fund any temporary replacement personnel, as needed. The supervisor may fund some professional development activities at their discretion and as funds are available. Normal salary and benefits will continue for the employee during the time of leave.

**Long Term Leave (Sabbatical)** - Benefitted EWC employees shall become eligible for long term professional development leave after his/her fifth year of continuous full-time service to the College. A recipient of long term leave shall not become eligible to apply for a subsequent long term leave for five years from the date of return to duties at the College.

Any eligible employee may apply for up to:

- one-half of their contracted year with full pay,
- one contracted year with half pay, or
- one-half release time with full pay for up to one contracted year, as long as the total cost of sabbatical coverage (salary and benefits for the current employee and for replacement employee) does not exceed the cost of options (a) or (b)

Due to the coordination of EWC departments required to staff a sabbatical position and the impact on the college budget, the application process for long term leave during the following fiscal year must begin by January in order for tentative budget approval in May and final budget allocation in July. Long term leave may not begin prior to the third Wednesday in July. Applications for long term leave will be reviewed by the President's Cabinet for recommendation to the College President, who will recommend action to the Board of Trustees. Applications are available from the Vice President for Academic Services and electronically.

Long term leave is granted with the understanding that the recipient will return to the College for at least one year after the leave has been taken. Upon return to service, the employee will be reinstated in the position held at the time leave was granted.

**Criteria**

- a. Normal salary increment and all other employment benefits will continue during the time of leave.

- b. Long term leave recipients who receive remuneration from another agency, institution, or organization while on leave will have their college salary reduced an amount equal to any remuneration received. Direct expense reimbursements; personal gifts; or educational grants, scholarships, and/or research, teaching or similar fellowships paid to recipients while on leave will not result in a reduction of college salary.
- c. Long term leave recipients who normally maintain other employment on an ongoing basis, provided that the recipient was actively employed outside of the college prior to accepting the long term leave, will not have their college salary reduced by the amount of remuneration paid to recipients for that employment while on leave.
- d. Employees awarded long term leave who fail to complete the approved leave program or, for voluntary, non-emergent reasons do not fulfill their current contract/appointment for the ongoing academic or fiscal year agree to repay any costs incurred as a result of his or her absence through payroll deduction within the first year after returning to service. The College Board may excuse repayment for emergency or extenuating circumstances.

**Process**

- a. Employees must submit an *Application for Long Term Professional Development Leave* to the appropriate Vice President through their supervisor at any time prior to the last business day of January. If the activity is not approved and signed by the supervisor, the individual may appeal to the College President for approval.
- b. Recommendation by the Cabinet shall be based on the applicant's proposal and the needs of EWC. The applicant shall be informed of this recommendation and affirmed applications forwarded to the College President by the first business day of March for action by the Board of Trustees.
- c. Final approval of long term leave is contingent upon availability of necessary replacement personnel and final budget approval in July. Replacement personnel will be approved, and associated costs will be funded through the normal budget process. After final approval, no major changes in the recipient's leave program may occur without mutual agreement between the recipient, the direct supervisor, and the appropriate Vice President.
- d. Within sixty days after a leave recipient returns to duty, he/she is required to submit a written report to the appropriate Vice President and present a minimum of a one-hour seminar open to the general public covering the period of leave. Accompanying the report should be a transcript or other evidence of completion of the planned program.

**Administrative Rule 3.8.5: Tuition Waivers for All Employees**

*Adopted 7/20/05*

*Revised 11/8/05(RF), 8/13/13(RF), 4/14/15, 4/4/16, 10/24/16, 2/27/17, 6/25/18*

All EWC employees are eligible to receive some form of tuition waiver for EWC credit courses. Employee tuition waivers are subject to availability of space in a class. Employee tuition waivers will not apply if there is a waiting list of students who are paying tuition or have tuition waivers other than employee waivers. All related course fees must be paid at the standard rate. For the purpose of this rule, Outreach Coordinators and bookstore personnel shall be regarded as benefitted employees of the college.



Immediate families of Outreach Coordinators and bookstore personnel qualify for benefits as described below. Employees who for voluntary, non-emergent reasons terminate their employment prior to class completion are required to pay the waived tuition. All benefits listed in this Administrative Rule 3.8.5 are not transferable. Applications for tuition waiver are available from the Business Office.

#### **Benefitted Employees & Families**

- a. Benefitted EWC employees may receive a full tuition waiver for up to 18 credit hours per semester.
- b. Immediate family members of benefitted EWC employees may receive a 50% tuition waiver for up to 18 credit hours per semester. For the purpose of this rule, immediate family is defined as the employee's spouse, or children 24 years of age or younger.
- c. Benefitted EWC employees may enroll in a credit class meeting during regularly scheduled work hours, with day and time of class approved by their immediate supervisor. This class may be taken without penalty to the employee. Additional credit classes may be taken, but the employee will be expected to make up the time lost. Faculty may not be excused from a normally scheduled teaching hour to enroll in a class as a student.

#### **Non-benefitted Employees**

Non-benefitted EWC employees (including adjunct faculty and employees without a defined employment end date and who are not seasonal) may receive a tuition waiver for one class (with no credit cap) or multiple classes not to exceed three credit hours per semester during any semester in which they are employed. Class must be taken outside of scheduled work hours.

#### **Required Education**

Any EWC course taken as a requirement of employment at Eastern Wyoming College is exempt from the scheduling restrictions of this rule, and becomes part of the employee's work day.

#### **Administrative Rule 3.8.6: UW Cooperative Agreement Waiver**

*Adopted 7/27/18*

*Revised 4/1/20*

Per the Memorandum of Implementation for the Cooperative Agreement between EWC and the University of Wyoming (UW), benefitted College employees are eligible to enroll and receive a tuition waiver according to the guidelines set forth in the Cooperative Agreement. This waiver includes any credit courses for each regular semester and the summer session. Any UW special course or student fees are the responsibility of the employee. For non-benefitted college employees, please refer to the guidelines set forth in the Cooperative Agreement.

**Board Policy 3.9:           COMPENSATION**

*Adopted 1/25/00*

*Revised 12/13/05, 5/08/12, 8/13/13(RF), 11-13-18*

College employees will be paid according to the EWC salary schedule in conjunction with state and federal laws.

**Administrative Rule 3.9.1:       Compensation**

*Adopted 01/25/00*

*Revised 12/13/05, 05/08/12, 8/13/13(RF), 4/4/16, 12/17/18/3/25/19, 11/30/20*

Regular full-time and/or benefitted employees will be paid according to the EWC salary schedule. Overload pay for full-time instructors is allowed when the number of credit hours for one academic year exceeds 30 annualized workload credit hours. Pay for overload is paid at the same rate as that of an adjunct instructor. Including overload courses, a maximum teaching load for an EWC instructor is 21 credit hours per semester. At the employee's decision, Overload and Adjunct Instructor compensation is paid all at once (in December and May) or spread across four months (September through December and February through May). Block A or B Adjuncts will be paid at the conclusion of their assigned instructional period.

Non-benefitted, non-instructional employees will be paid according to the EWC part-time wage rate schedule.

**Overtime.** In accordance with the Fair Labor Standards Act, nonexempt personnel who are required to work over 40 hours per week receive compensatory time off at the rate of 1.5 hours for each hour of overtime worked. If the Budget Manager and/or Department Head decides that compensatory time is not feasible, then the employee will be paid at a rate of time and one-half their hourly rate. Overtime is awarded for weekly time worked over 40 hours, not a combination of weekly time worked and credited non-work hours.

All overtime must receive prior approval. Emergency overtime should be reported to the appropriate Department Head or Budget Manager. Overtime compensation must be taken or paid by June 30 of each year.

**Adjunct Instructors.** Adjunct instructors will be paid by the credit hour at a rate determined by the Board of Trustees. The Chief Academic Officer and Associate Chief Academic Officer have the authority to negotiate salaries for adjunct credit instructors in classes that have low enrollment the rate not to exceed that determined by the Board of Trustees.

Adjunct instructors are considered to be temporary/non-permanent part-time employees. Only instructors, who are assigned advisees, have active committee assignments, hold regularly scheduled office hours, perform other duties expected of regular full-time instructors and are contracted for 15 or more credit hours per academic year will be considered benefitted employees.

The Chief Academic Officer has the authority to determine and set salaries for non-credit classes in Goshen County. The appropriate outreach coordinator has the authority to determine and set salaries for non-credit instructors for non-credit classes in their communities.

**Holiday Compensation.** Non-exempt, benefitted employees are entitled to Holiday Compensation in the event they work on one of the College Holidays as listed in AR 3.21.1. Employees must have their supervisor's written prior permission to work on a holiday. Supervisors must ensure there is a mission essential need for an employee to work and determine whether to award pay or Compensatory Time-off. Holiday Compensation is to be awarded at the employee's Overtime rate.

**Emergency Closure Compensation.** Non-exempt, benefitted employees are entitled to Emergency Closure Compensation in the event they are deemed essential personnel as defined in AR 3.21.2. Emergency Closure Compensation begins the next full business day after an announcement of an unexpected closure and applies to closures equal to or less than 5 consecutive business days. Supervisors must ensure there is a mission essential need for an employee to work and determine whether to award pay or Compensatory Time-off. Emergency Closure Compensation is to be awarded at the employee's Overtime rate.

**Board Policy 3.10:      EWC EMPLOYEE CODE OF ETHICS**

*Adopted 7/8/14*

*Revised 9/8/20*

All employees have an obligation to discharge their professional responsibilities concerning students in a fair and conscientious manner and in accordance with the ethical standards generally recognized within the academic community. Honesty and professional integrity are expected of all Eastern Wyoming College employees and it is a serious violation of trust when the interests of the College, the Board of Trustees, and other employees are disregarded in the course of performing duties.

Eastern Wyoming College will treat each person of the College community as an individual and provide a positive, success-oriented environment. College policies and procedures attempt to protect the rights and development of each individual. The College is committed to meet these responsibilities with balance, fairness, accountability, and ethical integrity.

**Administrative Rule: 3.10.1:      Code of Ethics – General Principles**

*Adopted 7/8/14*

While this Code of Ethics cannot enumerate every responsibility or foresee every contingency, the following are essential parts of an ethics statement within the context of our College community. Employees have the responsibility to:

- a. Respect and act in accordance with the rights of all members of the College community in freedom of thought, opinion and conscience, freedom of speech and expression, and freedom of association.
- b. Treat all members of the College community with equal consideration and respect regardless of age, race, gender, ethnicity, religion, sexual orientation, or disability.
- c. Refrain from harassment of or illegal discrimination against any individual or group of individuals.
- d. Comply with all College policies and procedures like the Family Educational Rights and Privacy Act, the Information Security Program, Drug Free Workplace, and copyright infringement and conscientiously fulfill assigned duties and responsibilities.
- e. Maintain confidentiality of educational and other official records and privileged information.
- f. Make the well-being of students the fundamental value in all decision-making and actions.
- g. Avoid using College positions for personal gain through political, social, religious, economic, or other influences.
- h. Refrain from the possession, distribution, sale or use, or being under the influence of illegal drugs while on College premises, participating in College-sponsored activities, representing the College, or performing job duties. Illegal drugs, as referred to in this administrative rule, include drugs that are not legally obtainable, as well as drugs that are legally obtainable but used for illegal or unauthorized purposes.

- i. Refrain from engaging in or creating the appearance of potentially exploitative relationships with a student particularly if the employee has an academic or supervisory responsibility for the student or is in a position to confer any benefit to or make any decisions affecting the student.
- j. Take appropriate precautions to ensure academic integrity among students with respect to plagiarism; cheating and stealing, or misappropriation of institutional resources; and refer such matters for disciplinary action when such are known to have occurred.

**Administrative Rule 3.10.2:     **Anti-Nepotism****

*Adopted 7/17/02*

*Revised 11/8/05(RF), 8/13/13(RF), 7/8/14, 6/30/17, 11/27/17, 3/25/19*

Supervisors shall maintain a professional relationship with employees assigned to their area of responsibility.

- a. College employees will not be the immediate/direct supervisor to their relatives who are also benefitted or non-benefitted employees. Relatives include parents, spouses, children, siblings, domestic partners, grandparents, grandchildren, uncles/aunts, nephews/nieces, first cousins, step children, parents' in-law, children in-law, and siblings' in-law. If there is a family relationship or employment change that violates this Rule, it is the employee's responsibility to work with their supervisory chain and Human Resources to correct the situation within nine months.
- b. To avoid the appearance or perception of partiality, employees will not participate in discussions or committees affecting the hiring, appointment, contract, tenure, promotion, supervision, performance evaluation, or any decision that affects a relative as defined above.

**Administrative Rule 3.10.3:     **Supervision Ethics****

*Adopted 6/30/17*

Supervisors shall give respect to and value the interests of all students, employees, and other members of the College community.

Supervisors will be held accountable for fairness related to the immediate staff and students for whom they supervise and will perform their supervisory responsibilities consistent with the standards outlined in College policies, administrative rules (AR), and handbooks. They will help ensure those who directly report to them are informed about, understand, and comply with laws, regulations, policies, procedures, and ARs. They may not retaliate against any employee for reporting, in good faith, a violation of law, regulation, policy, or AR. Supervisors will establish and maintain standards for collaborative interaction among their assigned employees that is characterized by respect, honesty, and service. They are responsible for all employees assigned to them/their work center and will correct, through education, coaching or discipline, any lack of satisfactory performance and violations of College policy or ARs. Supervisors must be careful in their words and conduct to avoid placing or seeming to place pressure on subordinates that might cause them to deviate from acceptable norms of conduct.

**Administrative Rule 3.10.4:     **Conflict of Interest****

*Adopted 7/8/14*

*Revised 6/30/17*

Employees are expected to strive to meet the highest standards of integrity and ethical behavior and to act in the best interest of the College. Employees are to avoid conflicts of interest between the interests of Eastern Wyoming College and an employee’s personal, professional and business interests. This includes avoiding potential and actual conflicts of interest, as well as the perception of conflicts of interest. A College employee must not accept or solicit anything of monetary value from anyone who seeks to do business with the College or from anyone who expressly seeks to bribe that employee.

**Administrative Rule 3.10.5:     **Conflict of Commitment****

*Adopted 7/8/14*

*Revised 6/30/17*

Employees are expected to devote their full time and attention to the College’s interests during regular hours of employment and whatever additional time is required to satisfy their responsibilities. Other employment or personal business commitments are not permitted if these interests compete with the College’s activities; involve the use of the College’s equipment, supplies, or facilities; or imply sponsorship or support by Eastern Wyoming College.

**Administrative Rule 3.10.6:     **EWC Sponsored Research Activities****

*Adopted 8/31/15*

*Revised 4/4/16, 6/30/17*

Employees involved in sponsored research activities that are sanctioned by Eastern Wyoming College have additional requirements to identify and address conflicts of interest and commitment that are potential, actual, or apparent that arise during the conduct of research activities. It is critical that outside activities or outside financial interests do not interfere with objectivity in research. This administrative rule is intended to increase awareness of the potential for conflicts of interest and commitment that arise during the conduct of research and to establish procedures whereby such conflicts may be avoided or properly managed.

This administrative rule is designed to observe the proper stewardship of federal funds under the Department of Health and Human Services, the Public Health Service, and the National Institutes of Health directives. Federal codes of regulation (CFR) exist for conflict of financial interest requiring college compliance (45 CFR Part 94; 42 CFR Part 50 Subpart F).

Eastern Wyoming College (“EWC” or “College”) is committed to ensuring that the procedures included herein are carried out properly and consistently, in accordance with the EWC Employee Code of Ethics Policy.

**Categories of Conflicts in Research**

**Conflicts of Interest**

Definition. A conflict of interest exists when an individual has an external interest that affects or provides an incentive to affect the individual's conduct of her or his research activities. Generally, conflicts of interest can arise naturally from an individual's engagement with the world outside the

College, and the existence of a conflict of interest does not necessarily imply wrongdoing on anyone's part. When conflicts of interest do arise, however, they must be recognized, disclosed, and either properly managed or eliminated.

The appearance of a conflict may be as serious and potentially damaging as an actual distortion of research processes or outcomes. Reports of conflicts based on appearances can undermine public trust in ways that may not be adequately restored even when the mitigating facts of a situation are brought to light. Apparent conflicts, therefore, should be disclosed and evaluated, managed, or eliminated with the same vigor as actual conflicts.

**Financial Conflicts of Interest in Research.**

Regarding sponsored research, a potential conflict exists when there is a possibility that an individual's outside financial interests could directly and significantly affect the design, conduct, or reporting of the research. A significant financial interest is defined as the following:

A financial interest consisting of one or more of the following interests of the researcher<sup>1</sup> (and those of the researcher's spouse and dependent children) that reasonably appears to be related to the researcher's responsibilities as an employee of the College:

- a. With regard to any publicly traded entity, *a significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. Remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through the reference to public prices or other reasonable measures of fair market value.
- b. With regard to any non-publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the researcher (or the researcher's spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest).
- c. Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.

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<sup>1</sup> Researcher means the principal investigator/project director, co-principal investigators, and any other person at the College who is responsible for the design, conduct, or reporting of research or educational activities funded, or proposed to be funded, by an external sponsor. In this context, the term researcher includes the researcher's spouse and dependent children.

- d. Researchers also must disclose the occurrence of any reimbursed or sponsored travel (i.e., that which is paid on behalf of the researcher and not reimbursed to the researcher so that the exact monetary value may not be readily available) related to their College responsibilities; provided, however, that this disclosure requirement does not apply to travel that is reimbursed or sponsored by a federal, state, or local government agency, an institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education. The researcher must disclose the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration. EWC Administrative Services will determine if further information is needed, including a determination or disclosure of monetary value, in order to determine whether the travel constitutes a financial conflict of interest.
- e. The term *significant financial interest* does not include the following types of financial interest:
  - i. salary, royalties, or other remuneration paid by the College to the researcher if the researcher is currently employed or otherwise appointed by the College, including intellectual property rights assigned to the College and agreement to share in royalties related to such rights;
  - ii. income from investment vehicles, such as mutual funds and retirement accounts, as long as the researcher does not directly control the investment decision made in these vehicles;
  - iii. income from seminars, lectures, or teaching engagements sponsored by a federal, state, or local government agency, an institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education; or
  - iv. income from service on advisory committees or review panels for a federal, state, or local government agency, an institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education.

**Non-financial Conflicts of Interest in Research.** Conflicts may also exist with respect to matters with non-financial implications, such as decisions about the use of college equipment and facilities and the negotiation of research agreements and license agreements. Conflicts may also exist with respect to the particular conduct of research, the protection of human research subjects, and the treatment of students and faculty colleagues.

### **Conflicts of Commitment**

See EWC Administrative Rule 3.10.5.

- a. Training, Conflict Identification, Disclosure, Management Plan, and Monitoring
- b. Preface: This administrative rule provides procedures for identifying potential and actual conflicts of interest in research through immediate and/or annual disclosure and through consistent review of such disclosures. Full disclosure and the creation of a public record will benefit both Eastern Wyoming College and its employees while preserving the integrity of the College's relationship with the public.



- c. The College shall adhere to federal regulations mandated by National Science Foundation, Public Health Service, and/or other federal entities for conflicts of interest and/or commitment and pursuant to the guidelines established in this administrative rule. Implementation of this administrative rule is the responsibility of EWC Administrative Services, working directly with sponsored researchers, in consultation with legal counsel. Administrative Services and college administration will be responsible for reviewing and revising this administrative rule as needed. Once a conflict has been disclosed, it must be evaluated, and if identified as an actual or apparent conflict, a conflict management plan will be implemented.

### **Training for Researchers**

Eastern Wyoming College researchers, both faculty and staff, **who are engaging in research related to any Public Health Service-funded grant or contract**, must complete the Collaborative Institutional Training Initiative (CITI) course on Conflict of Interest (see <https://www.citiprogram.org/>) prior to engaging in the research. This training must be completed at least every four years.

### **Conflict of Interest in Research Procedure**

- a. Committee. On an ad hoc basis, the Vice President for Administrative Services shall appoint a Committee on Conflict of Interest in Research that shall consist of the Vice President or Associate Vice President for Academic Services and two faculty members. Conflict of interest and conflict of commitment issues may be referred to this Committee, which will serve in an advisory capacity in the evaluation and management of such conflicts as further delineated within this administrative rule.
- b. Disclosure. Eastern Wyoming College researchers, both faculty and staff, must in a timely manner, make full disclosure of relevant information on potential conflicts of commitment and/or interest prior to the submission of a research proposal for funding using Eastern Wyoming College's Significant Financial Interest Disclosure Form, which may be found on the Business Office public shared drive.

When a disclosure is received, the Committee on Conflict of Interest in Research will review the disclosure and make a recommendation regarding the existence of a conflict or apparent conflict. Further, if a conflict or apparent conflict is identified, the committee will make, working with the individual and his/her supervisor (if appropriate), a recommendation on procedures to avoid or manage a conflict appropriately. If a conflict is identified, the researcher must submit an updated Disclosure Form annually and within thirty (30) days of discovering or acquiring (e.g., through purchase, marriage, or inheritance) a new significant financial interest.

All recommendations will be made to the Vice President for Administrative Services. The Vice President for Administrative Services shall make the decisions regarding the conflict and its management.

- c. Management. If the potential conflict of interest and/or commitment is identified as an actual or apparent conflict, options for management may include, but are not limited to:
  - i. Refraining from engaging in the proposed activity.

- ii. Seeking permission from the College to engage in the activity if the conflict necessarily can be reduced or restructured to be compatible with the required standard for the employee to properly perform her or his college responsibilities.
  - iii. Seeking approval of the activity conditioned upon the implementation of a procedure to monitor the situation.
  - iv. Where research is involved, management of conflicts may include, but is not limited to: public disclosure of significant financial interests (e.g., when presenting or publishing the research); for research projects involving human subjects research, disclosure of financial conflicts of interest directly to participants; appointment of an independent monitor capable of taking measures to protect the design, conduct, and reporting of the research against bias resulting from the financial conflict of interest; modification of the research plan; change of personnel or personnel responsibilities, or disqualification of personnel from participation in all or a portion of the research; reduction or elimination of the financial interests (e.g., sale of an equity interest); or severance of relationships that create financial conflicts.
- d. Appeals Procedure. Affected individuals who disagree with a decision regarding a request to manage a potential conflict of interest and/or commitment may file a written appeal within fifteen (15) days of that decision to the President. The President's decision is final and there is no further appeal allowed to the Board of Trustees.
- e. Implementation of a Conflict Management Plan
- i. Eastern Wyoming College Administrative Services will provide training and advice to faculty, staff, and student researchers about conflict of interest and commitment issues, including required disclosures and the proper disclosure process.
  - ii. This process will be reviewed and validated on a regular basis.
  - iii. Eastern Wyoming College Administrative Services will establish adequate enforcement mechanisms and provide for sanctions where appropriate.
  - iv. Disclosures will be reviewed and centrally inventoried.
  - v. The disclosure process will be published and reported to appropriate administrators and project sponsors.
  - vi. If the research is Public Health Service funded, Eastern Wyoming College Administrative Services will provide a report to the Public Health Service Awarding Component or pass-through entity and will provide a written response to any requestor within five business days of a request concerning any researcher's significant financial interest disclosed to the College that is determined to be a financial conflict of interest.
  - vii. Eastern Wyoming College Administrative Services will monitor the researcher's compliance with any management plan on an ongoing basis until the completion of the research project.

**Retrospective Review**

For researchers engaging in research related to any Public Health Service-funded grant or contract, if a financial conflict of interest is not identified in a timely manner by the researcher, the Committee on Conflict of Interest in Research will complete a retrospective review of the researcher's activities to determine whether research conducted during the time period of the noncompliance, was biased in the design, conduct, or reporting of such research. If bias is found, the Vice President for Administrative Services will notify Public Health Service or the pass-through entity promptly and submit a mitigation report.

The mitigation report will include the following: the key elements documented in the retrospective review; a description of the impact of the bias on the research projects; and the College's plan of action or actions taken to eliminate or mitigate the effect of the bias, including impact on the research project, extent of harm done, and analysis of whether the research project is salvageable.

**Sanctions**

The initiative and responsibility for reporting potential or actual conflicts rests upon the individual employee. Any employee who fails to make timely reports of potential conflicts or otherwise violates this administrative rule may be subject to disciplinary action up to termination of employment or to other employment requirements, including but not limited to divestiture of significant financial interests that create conflict. The Committee on Conflicts of Interest in Research will review allegations of violations and will make recommendations regarding the imposition of sanctions to the Vice President for Administrative Services.

**Board Policy 3.11: SAFETY**

*Adopted 7/20/05*

*Revised 11/8/05(RF), 8/13/13(RF), 11/13/18*

It is the desire of Eastern Wyoming College to make use of all reasonable safeguards and practices to prevent accidents and injuries or unforeseeable circumstances.

**Administrative Rule 3.11.1: Safety**

*Adopted 7/17/02*

*Revised 11/8/05(RF), 8/13/13(RF), 5/14/19*

Safety is a major concern to all employees and students.

- a. It is the responsibility of each employee of Eastern Wyoming College to promote and adhere to safety standards at all times and acquaint the same to students.
- b. All instructional programs where potential hazards exist shall have well-equipped first-aid kits available.
- c. All accidents that occur on EWC property must be reported on the Accident and Injury Report form located on the "M" drive at Personnel/Public/Accident and Injury Report and filed within 72 hours of the incident with Human Resources.

**Board Policy 3.12: SEXUAL HARASSMENT**

*Adopted 7/20/05*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16, 9/13/16*

Eastern Wyoming College strives to create a working and learning environment that is desirable for all employees and students and adheres to all state and federal guidelines.

Definition: Eastern Wyoming College endorses the definition of sexual harassment provided under A) Title VII of the Civil Rights Act of 1964 with reference to B) Title IX of the Educational Amendments Act of 1972, i.e. below:

- a. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.
- b. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Sexual harassment of employees or students is reprehensible, illegal and will not be tolerated at Eastern Wyoming College. Such activity which influences employment decisions or the academic success of students is contradictory and antithetical to the environment provided by this institution, and prompt and remedial action will be taken by Eastern Wyoming College upon any finding of sexual harassment.

**Administrative Rule 3.12.1: Filing, Processing, and Adjudicating Complaints**

*Adopted 9/13/16*

*Revised 7/27/18*

**Complaint Process.** All complaints of sexual harassment will be investigated. Employee complaints should be filed with the complainant's immediate supervisor or the Human Resources Director. Student complaints should be registered with the Dean of Instruction or the Human Resources Director. If the complaint cannot be resolved at this level, the College Grievance Procedure under EWC Grievance Policy No. 1.7 should be followed. Victims of sexual harassment are strongly encouraged to disclose any episode(s) of sexual harassment. Such disclosure will assist EWC in its attempts to prevent future episodes of sexual harassment.

**Adjudicated Outcomes.** Any Eastern Wyoming College agent or employee who is found to have engaged in sexual harassment of another employee or student will be subject to disciplinary sanctions, which may include, but not limited to, written reprimand, demotion, transfer, required professional counseling, and/or termination of employment. Any student who violates this policy will be subject to prompt and appropriate discipline. Such discipline may result in the student being expelled from Eastern Wyoming College.

No employee or student shall suffer reprisal from Eastern Wyoming College as a consequence of filing a "good faith" complaint.

**Board Policy 3.13: TRAVEL**

*Adopted 8/13/91*

*Revised 11/8/05(RF), 12/11/07, 8/13/13(RF), 11/13/18*

Eastern Wyoming College provides transportation guidelines, including travel and reimbursement provisions for college related business.

**Administrative Rule 3.13.1: Travel**

*Adopted 8/13/91*

*Revised 11/8/05(RF), 12/11/07, 8/13/13(RF), 12/10/13, 4/4/16*

All travel funds, whether budgeted for individual offices or for major college divisions, are subject to approval by the appropriate Executive Administrator or President. Faculty and student travel relating to instruction must be approved by the Chief Academic Officer. Faculty and student travel for activities must be approved by the Chief Student Services Officer. Criteria used in determining priority for these funds are:

- Relevance to field of specialty
- Relevance to Eastern Wyoming College
- Class time to be missed
- Frequency of travel by individual
- Cost of trip

**Vehicle Reservations, Use and Restrictions.** College vehicles are to be used for transportation unless prior approval to use a personal vehicle is given by the traveler's supervisor. Regardless of whether a college or personal vehicle is used, all employees traveling on college related business must wear seat belts and drivers are expressly prohibited from text messaging or emailing while operating college vehicles, or from using government supplied electronic equipment to text message or email when driving. Reservations for college vehicles should be made with the EWC Information Center receptionist and a determination should be made at that time by the supervisor regarding the availability of college vehicles that are appropriate for the scope of the trip. Keys to the vehicle(s) may be checked out at the time of departure or at the end of office hours if departure time is between 5 p.m. and 8 a.m. or on a weekend or holiday. Generally, college vehicles should not be taken home in anticipation of leaving the following day. However, this may be warranted in circumstances where the location of the traveler's residence is substantially closer to the travel destination than the education center where the college vehicle is normally housed. A travel report must be completed upon return.

**Cash Advances**

Cash advances for travel are available through the business office when the following conditions are met:

- The cash advance is requested five days prior to the trip.
- The travel is required as a part of the job.
- The appropriate supervisor has authorized a cash advance.
- The trip involves a minimum cost of \$100 or two days' travel plus an overnight stay.
- Anticipated costs are itemized on the appropriate form.

**Reimbursement Procedures**

A "Travel Expense Voucher/Reimbursement Form," available in the business office, must be completed before travel expenses can be reimbursed. Receipts showing place and date of expenditure as well as the reason for the expenditure are required for meals (for same day travel), lodging, commercial travel, registration fees, any necessary parking and toll fees, etc. Cash register receipts are not acceptable; receipt books for this purpose may be checked out from the business office. Appropriate receipts and unexpended cash advance money are due in the business office no later than the first working day following the return date. At the employee's option for overnight trips, meals may be reimbursed on the current per diem basis rather than actual costs.

**Board Policy 3.14: COMPLIANCE WITH FEDERAL AND STATE LAWS AND REGULATIONS**

*Adopted 8/13/13*

*Revised 11/13/18*

Eastern Wyoming College is committed to providing its employees and students with a safe and healthy working and learning environment. Smoking is prohibited in all buildings, structures, or vehicles owned, leased, or rented by the college, including covered walkways, temporary enclosed structures, trailers, and tents. Smokers must be at least 10 feet from an entrance, exit, outdoor air intake, or operable window. Smoking includes the carrying or holding of any lit or ignited pipe, cigar, cigarette, electronic cigarette, or any other lit or battery operated smoking equipment or device; or the igniting, inhaling, or exhaling from a pipe, cigar, cigarette, electronic cigarette, or any other smoking equipment or device. Eastern Wyoming College will at a minimum be compliant with all federal and state laws and regulations.

**Administrative Rule 3.14.1: U.S. Department of Alcohol and Controlled Substance Testing**

*Adopted 6/11/96*

*Revised 11/8/05(RF), 8/13/13, 4/27/20*

Eastern Wyoming College abides by employment drug testing established by the Omnibus Transportation Employee Testing Act of 1991. Persons affected include all employees who are required to hold a commercial driver's license (CDL) and/or work in a program area where drug testing is an industry standard. These covered employees will be subject to pre-employment, random, post-accident, return-to-duty, and follow up testing. Employees who do not meet the previous stated criteria are subject to reasonable suspicion and return-to-duty testing. Volunteers are subject to reasonable suspicion and return-to-duty testing.

Eastern Wyoming College will designate a clinic or facility where applicants or employees may present themselves for the purposes of providing a specimen of their urine to be analyzed for the presence of drugs or a collection and analysis of breath for alcohol presence. An evidential breath tester (EBT) will be used to measure alcohol levels. A urine sample will be used to test for controlled substances. An alcohol level of less than 0.02 and/or a negative result for a controlled substance is considered a negative result.

An alcohol level of 0.02 or greater and/or a positive result for a controlled substance is considered a positive result. Refusal to take a drug or alcohol test including, not showing up for a test, any conduct that interferes with the testing methodology or prohibits the completion of the test, adulterating or substituting a sample is considered a failed test.

The human resource director is responsible for maintaining compliance with this policy and for overseeing the following processes and procedures:

**Pre-employment Testing:**

A conditional offer of employment is made to a job candidate. If the candidate accepts the conditional offer, the Human Resources Department will obtain a signed consent form authorizing the college access to the test results and will schedule a drug and alcohol test for the candidate prior to the candidate's first day of employment. The Human Resources Department will rescind the employment offer of any candidate who has a positive test result.



**Post-Accident Testing:**

The Human Resources Department will schedule a drug and alcohol test for any covered employee who has been involved in an accident in the workplace or while the employee was acting in an official work capacity on or off campus if 1) the accident resulted in a fatality, 2) the employee driving the vehicle is cited for a moving violation, 3) either vehicle is towed from the scene, or 4) someone is evacuated from the scene of an accident for medical reasons.

- a. The employee is required to take the drug and alcohol test within two hours of the accident, if possible. If testing cannot occur within two hours of the accident, the testing will occur as soon as reasonably possible following the accident.
- b. The college will suspend without pay any employee who has a positive test result.
- c. Employee is subject to return-to-duty testing.

**Random Testing:**

The college's testing agency will annually select fifty percent of the covered employees in their group for random, unannounced drug testing. The testing agency will notify the Human Resources Department when a college employee has been selected for random testing.

- a. The Human Resources Department will notify employees selected for random testing after they have reported for duty and will schedule the test during the employee's scheduled workday.
- b. The employee will take the drug test at the scheduled time.
- c. The college will suspend without pay any employee who has a positive test result.
- d. Covered employees are subject to return-to-duty testing.

**Reasonable Suspicion Testing:**

Supervisors notify the Human Resources Department when they have reasonable suspicion based on direct observation of an employee's appearance, behavior, speech, or smell that an employee is under the influence of drugs or alcohol. Supervisors must make the observation during the employee's scheduled workday or immediately prior to or following the workday. Any employee may be subject to reasonable suspicion testing if it is determined there is reasonable basis to believe an employee may be using drugs or alcohol or be under the influence of drugs or alcohol in the workplace.

- a. The Human Resources Department will notify the employee if there is reasonable suspicion that the employee is under the influence of drugs or alcohol and that the employee will need to take a drug test. A campus security employee/designee will escort the employee to the testing agency and will ensure that the employee has a means to get home safely.
- b. The college will suspend without pay any employee who has a positive test result.
- c. Covered employees are subject to return-to-duty testing.

**Return-to-Duty Testing:**

Any employee who has a positive test result may not return to work in a covered position until the employee has completed the following requirements. Any cost associated with these requirements are the employee's responsibility.

- a. Submit to an evaluation by a substance abuse professional.
- b. Successfully complete any education, counseling, or treatment prescribed by the substance abuse professional prior to returning to work.
- c. Provided a negative test result for drugs and alcohol.

**Follow-up Testing:**

The Human Resources Department will work with a substance abuse professional to determine the length of follow-up testing for covered employees. Covered employees are subject to a minimum of 6 unannounced drug and alcohol tests for 12 months after returning to work in a covered position. Follow-up testing may continue for up to 5 years. Any cost associated with follow-up testing is the employee's responsibility. Covered employees who receive a positive follow-up test result for drugs and alcohol are subject to disciplinary action up to termination.

**Administrative Rule 3.14.2      Drug Free Work Place**

Adopted 8-14-01

Revised 11/8/05(RF), 8/13/13, 4/4/16, 6/29/20

Eastern Wyoming College is committed to maintaining a drug-free work place. The college certifies that it will provide a drug-free work place by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution dispensing, possession or use of a controlled substance is prohibited in the work place and specifying the actions that will be taken against employees for violation of such prohibition.
- b. Establishing a drug-free awareness program to inform employees about:
  - i. The dangers of drug abuse in the work place;
  - ii. The college's policy of maintaining a drug free work place;
  - iii. Any available drug counseling, rehabilitation and employee assistance program;
  - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the work place.
- c. Making a good faith effort to continue to maintain a drug-free work place through implementation of this policy

**Grant Funded Positions**

It shall be required that each employee engaged in the performance of a grant be given a copy of the statement required by Item A.

- a. As a condition of employment under a grant, the employee will:
  - i. Abide by the terms of the statement;
  - ii. Notify the college of any criminal drug statute conviction for a violation occurring in the work place no later than five days after each conviction.
- b. The grant agency will be notified within ten days after receiving notice under section a.2. from an employee or otherwise receiving actual notice of conviction.

- c. One of the following actions will be taken within thirty (30) days of receiving notice under section a.2., with respect to any employee who is so convicted by:
  - i. Appropriate personnel action against such employee, up to and including termination. Such employee will be required to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

### **Alcohol and Controlled Substance**

The following regulations of Eastern Wyoming College conform to the City of Torrington and Wyoming State laws and Regulations affecting alcohol and controlled substance abuse.

- a. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on the EWC campus, in residence halls, or at any college-sanctioned events is prohibited. Such an act is a crime under Wyoming State Laws.
- b. Possession and/or use of alcoholic beverages is prohibited on the EWC campus, in residence halls, or any college sanctioned event except as allowed by Board Policy 2.15.

**Per Wyoming State Statute 12-6-101** - Any person under the age of 21 who has any alcoholic or malt beverage in his possession or who is drunk or under the influence of alcoholic liquor, malt beverages, or a controlled substance on any street or in any public place is guilty of a misdemeanor under Wyoming State Law.

### **Procedures of Enforcement**

Any member of the College community who observes a violation of this policy or becomes aware of an individual with an **alcohol or substance abuse related** problem on campus is encouraged to seek assistance from the appropriate resources:

- Office of Student Services for student concerns
- Office of Human Resources for employees and all others

### **Administrative Rule 3.14.3: Military Leave**

Adopted 7/7/02

Revised 11/08/05(RF), 8/13/13, 4/4/16, 6/29/20

Eastern Wyoming College supports and values military service of our employees in accordance with The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA, 38 U.S.C. §§ 4301-4335).

Any member of the Wyoming National Guard or United States military forces reserve who is an employee of Eastern Wyoming College shall be given a leave of absence with pay not to exceed fifteen (15) calendar days in any one (1) calendar year to attend duly authorized encampments, training crises and similar training programs in addition to any other leave or vacation time to which the person is otherwise entitled. Employees must provide Human Resources with a copy of their orders prior to the leave.

Subject to the conditions hereinafter prescribed, any Eastern Wyoming College employee who has been employed for one (1) year and who is a member of the national guard or any other component of the military forces of the state, a member of the reserve forces of the United States, or who is inducted into the military service of the United States, is entitled to leave of absence from their employment without

pay but without loss of seniority, status, vacation, health/wellness leave, or other benefits required by law while they are engaged in active military training or service ordered or authorized by proper authority pursuant to law exceeding fifteen (15) days in any calendar year. Such leave is in addition to any other military leave or vacation time to which the officer or employee may be entitled by law if the required military service is satisfactorily performed, which is presumed unless the contrary is established. During the absence, Eastern Wyoming College shall discontinue its share of payments for social security, insurance of any type of retirement unless the employee elects to contribute to the college retirement plan during their absence, in which case Eastern Wyoming College will likewise contribute its share.

**Administrative Rule 3.14.4: Unemployment Compensation**

Adopted 8/13/13 Reviewed 6/29/20

The College provides unemployment insurance coverage for employees in accordance with the laws of the State of Wyoming.

**Administrative Rule 3.14.5: Workers Compensation**

Adopted 8/13/13

Revised 4/4/16

Reviewed: 6/29/20

The College provides worker's compensation coverage for eligible employees in accordance with the laws of the State of Wyoming.

Employees are required to report any job related illness or injuries to their supervisor immediately and fill out the accident/injury report located on the "M" drive at Personnel/Public/Accident and Injury report as soon as feasible after an accident or injury occurs.

**Administrative Rule 3.14.6: Social Security**

Adopted 8/13/13

Revised 6/29/20

All employees except work-study students are required to participate in the Social Security Program.

**Board Policy 3.15: HEALTH/Wellness LEAVE**

*Adopted 6/30/92*

*Revised 11/8/05(RF), 8/13/13(RF), 11/13/18*

Eastern Wyoming College shall provide some form of Health/Wellness leave benefits to all benefitted employees.

**Administrative Rule 3.15.1: Health/Wellness Leave**

*Adopted 5/14/02*

*Revised 11/8/05(RF), 8/13/13(RF), 1/4/16, 4/4/16, 10/24/16, 1/28/19*

**Earnings Rate:** Health/Wellness leave is earned at the rate of 1.5 days per month based on the number of months and percent of full time as defined in the employee's appointment or contract. Earnings and Leave Balance will be calculated and reported to the hundredths of an hour.

**Leave Requests and Maximum Leave Balance:** Health/Wellness leave may accumulate to 120 days per year, which includes those days donated by another employee as specified in this Rule. Days in excess of 120 will be forfeited. Requests for leave in excess of one week must be approved by the employee's immediate supervisor. Requests for leave in excess of one month must be approved by the President. The minimum time charged as Health/Wellness leave will be a quarter of an hour.

**Immediate Family:** For the purposes of this Administrative Rule immediate family is defined as spouse, cohabitant partner, parents and grandparents, children and wards, grandchildren, brothers and sisters, mother-in-law and father-in-law, brother-in-law and sister-in-law, daughter-in-law and son-in-law. Adopted, half, and step members are also included in immediate family.

**Leave Uses:** Health/Wellness leave may be used for a variety of reasons including the following:

- **Medical Leave:** Accumulated Health/Wellness leave may be used for illness, sickness, emergency medical care, preventive and diagnostic medical and dental appointments. This leave may also be used by the employee because of illness or medical/dental appointments in the employee's immediate family.
- **Personal Leave:** Two (2) Health/Wellness leave days may be used by employees for personal leave each fiscal year. These days are not cumulative from year to year. The personal days are intended to allow the employee to tend to personal matters where other leave provisions do not apply. Personal leave must be pre-approved by the employee's immediate supervisor.
- **Emergency Leave:** Accumulated Health/Wellness Leave may be used for personal emergencies which affect the health and/or welfare of the employee or his or her immediate family. This leave includes but is not limited to bereavement leave upon the death of someone from the employee's immediate family. Personal emergency leave must be pre-approved by the employee's immediate supervisor.
- **Parental Leave:** Accumulated Health/Wellness leave may be used for parental leave upon the birth or adoption of a child. An employee requesting parental leave must notify the President minimum of one month prior to the commencement of the leave and will be granted only in the four months immediately following the birth or adoption.

- **Community Service Leave:** Two Health/Wellness leave days may be used by employees for community service/political leave each year. These days are not cumulative from year to year. Professional leave days are intended to allow employees to attend professional conferences, seminars, and meetings which are unrelated to their position at Eastern Wyoming College. Professional leave must be pre-approved by immediate supervisor.
- **Advance Health/Wellness Leave:** Benefitted employees whose Health/Wellness (H/W) Leave balance is zero, may request to borrow H/W Leave hours they will earn in future months. Employees may submit one request per fiscal year not to exceed 24 hours total of Advance H/W Leave. Requests must be submitted in writing to Human Resources; the College President is the approval authority. Approved Advance H/W Leave hours may only be used for Medical Leave and Emergency Leave. Account must be brought current (i.e. a zero or positive H/W Leave balance) within six months of being awarded Advance H/W Leave.

**Family Medical Leave Act:** In accordance with the Family Medical Leave Act (FMLA), eligible employees are guaranteed 12-weeks of unpaid, job-protected leave during any 12-month period (on a rolling basis) for certain medical reasons. FMLA leave is separate and in addition to Health/Wellness Leave provided by Administrative Rule 3.15.1. FMLA leave is also separate and in addition to Leave of Absence Without Pay provided by Administrative Rule 3.7.1. For additional questions related to FMLA, contact Human Resources.

**Donated Health/Wellness Days:** Employees may donate or may receive donated Health/Wellness leave per the stipulations listed below:

**Leave Donations:** Health/Wellness leave may be donated by any employee who has accrued a minimum of twenty (20) days of medical leave. The maximum number of days a person is allowed to donate during a fiscal year (July 1 through June 30), to any recipient who has an immediate and reasonable need for such assistance, will be based on the following scale:

<u>Accrued Days</u>	<u>Maximum Donated Days</u>
20 to 29	2
30 to 39	4
40 to 59	6
60 to 79	8
80 to 120	10

For example, if an individual has fifty (50) days of accrued leave they would be able to donate a maximum of six (6) days for the fiscal year.

Donations between immediate family members who are employees are not subject to the designated maximum. Donors shall submit a completed “Donated Leave” form. All accrued leave (i.e. H/W Leave and Paid Leave) except 40 hours of Paid Leave must be taken prior to requesting and using donated days for situations with a long-term health condition. Donated Health/Wellness Leave will not be tracked beyond 12 months from the date of request. Unused donated leave will not be deducted from the donor’s Health/Wellness Leave balance.

**Board Policy 3.16: INSURANCE/RETIREMENT BENEFITS PACKAGE**

*Adopted 11/12/96*

*Revised 11/8/05(RF), 8/13/13(RF)*

*Reviewed 2/12/19*

Eastern Wyoming College shall provide if financially feasible some form of health insurance benefits and either the Wyoming State retirement or TIAA/CREF retirement programs.

**Administrative Rule 3.16.1: Insurance/Retirement Benefits Package**

*Adopted 11/12/96*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16, 7/21/17*

The benefit provides life insurance, health insurance, and dental insurance for the employee. Dependent life insurance may not be purchased with this benefit. Eastern Wyoming College also contributes to each employee's retirement package.

**Administrative Rule 3.16.2: Health Insurance**

*Adopted 2/16/99*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16*

Eastern Wyoming College offers health insurance with coverage through the Wyoming State Employees Group Insurance Program. The employee may choose single or family coverage. Two plans are available with the difference being the amount of the individual and family deductibles. Both plans include a preventative and diagnostic dental plan and have a maximum amount payable for any one person of \$2,000,000 in a lifetime. The employee may change from one plan to another during a plan transfer period which takes effect each year on January 1.

All permanent employees who regularly work 80 hours or more per month are eligible for this plan on the first day of the month following their date of employment.

Medical insurance through the State of Wyoming Group Insurance Plan is available to all full-time employees and any part-time employees working 80 hours or more per month. Coverage is effective the first day of the month following the date the service starts. The anniversary date for changing the status of medical insurance for either employee or dependents shall be January 1 any given year thereafter. Exceptions will be if the employee has a change of status or chooses a change in coverage allowable only if he/she is not participating in the Flexible Benefit Plan.

If an employee terminates employment at Eastern Wyoming College, health care coverage may be continued under the plan at group rates under COBRA. The employee will be notified by the Payroll Office of rights at the time of termination. Coverage may also be continued under the Wyoming Retirement System if the employee retires. If the employee becomes ineligible for continuation of coverage due to termination of employment or reduction in work hours, he/she may continue coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA coverage may continue for up to 18 months for employees and up to 36 months for dependents.

Enrollment cards are available in the Human Resources along with the copies of the health insurance handbook and the dental pamphlet.

**Administrative Rule 3.16.3: DENTAL INSURANCE**

*Adopted 11/12/96*

*Revised 11/8/05(RF), 8/13/13(RF), 7/21/17*

An optional dental insurance is available to any employee eligible for the State Health Insurance Program. This insurance is in addition to the mandatory preventive dental insurance included in the health plan. Enrollment must be consistent with the health insurance enrollment, i.e. single coverage in the health insurance must have single coverage in the dental insurance.

Enrollment cards are available in Human Resources along with the dental pamphlet.

**Administrative Rule 3.16.4: Life Insurance**

*Adopted 2/16/99*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16, 7/21/17*

Eastern Wyoming College provides the option, for eligible full-time employees, to participate in the State of Wyoming Life Insurance program. Dependent coverage is an additional amount per month.

Life insurance and dependent life insurance are also available to disabled and/or retired employees. However, retired employees are not eligible for Accidental Death and Dismemberment benefit.

If an employee becomes terminally ill with a life expectancy of 12 months or less, he/she may apply to receive a portion of his/her life insurance as an "Accelerated Benefit." He/she may request an Accelerated Benefit of up to 50% of his/her life insurance. If one of his/her dependents has a "qualifying medical condition" Accelerated Benefits are available for dependent life coverage. The amount of the Accelerated Benefit available to his/her dependent will be based on the amount of dependent life insurance coverage provided at the time of the request.

If all or part of the employees group term life insurance ends, he/she may apply for an individual life insurance policy. Likewise, his/her dependents may also convert to an individual policy if all or part of their life insurance ends. Conversion coverage is not available for accidental death, dismemberment and loss of sight benefits.

Enrollment cards are available in Human Resources along with information relating to life insurance.

**Administrative Rule 3.16.5: Retirement**

*Adopted 11/12/96*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16, 7/21/17*

Participation in either the Wyoming Retirement System or TIAA/CREF is required for full-time or regular part-time employees at the time of employment. Any employee whose term of employment is on a temporary basis for less than four (4) months or any person receiving not more than \$5,500 per year for part-time teaching who elects in writing not to participate is excluded.

At the time of initial employment an employee must make a choice between one hundred percent participation in the Wyoming Retirement System (WRS) or one hundred percent participation in the Teachers Insurance & Annuity Association and College Retirement Equities Fund (TIAA/CREF).



## WYOMING RETIREMENT SYSTEM

The contribution rate for employees and employers is based on gross salary. After a minimum of 48 months of participation in the Wyoming Retirement System the employee is "vested", which means that the employee's rights to benefits at retirement age cannot be taken away. If employment is terminated, contributions may be left on deposit and if vested, the employee may apply for a monthly retirement allowance after reaching age 50.

**Restrictions.** The account on deposit in the WRS cannot be borrowed against, attached or garnished. No additional funds may be contributed in excess of the contribution rate.

**Statements.** The employee receives an annual statement of account during the first quarter of each year. This statement is prepared after all contributions for the preceding year have been posted to all accounts under the program. If any information on the statement appears to be incorrect, the employee should contact the Wyoming Retirement System Office in Cheyenne at once.

When employment is terminated the employee may request a refund of the contributions he/she has made to the program. The contribution rate for employer and employees is the same for Wyoming Retirement and TIAA/CREF. To obtain a refund, the employee must sign and submit the appropriate form.

## TIAA/CREF

Teachers Insurance and Annuity Association/College Retirement Equities Fund is available to employees, pursuant to rules set forth in EWC TIAA plan. The contribution rate to TIAA/CREF is the same as Wyoming Retirement System. Under TIAA/CREF you may transfer your annuity contract to other institutions participating in the plan.

**Board Policy 3.17: PAYROLL DEDUCTIONS**

*Adopted 11/12/96*

*Revised 11/8/05(RF), 8/13/13(RF), 6/17/21(RN)*

*Reviewed 2/12/19*

The College Payroll Office shall provide, if feasible, some form of benefit and payroll deductions.

**Administrative Rule 3.17.1: Payroll Deductions**

*Adopted 11/12/96*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16, 7/21/17, 11/27/17*

The College Human Resources is authorized to make deductions from the employees' salaries for the following purposes:

- a. Purchase of Tax Sheltered Annuities including Wyoming Deferred Compannuities (403(b) tax shelters are allowed only one change during any taxable year)
  - b. Life Insurance
  - c. Health Insurance
  - d. Dental Insurance
  - e. Wyoming Employees Credit Union
  - f. Savings Accounts
  - g. Disability Insurance (policy through the college)
  - h. Flexible Benefit Plan
  - i. Wyoming Education Association Dues
  - j. Court Ordered Payments
  - k. Zero Paid Leave and Health/Wellness Leave balances after being absent from work
- i. Human Resources (HR) will deduct the amount due in the next pay period after the zero leave balance(s) is confirmed.
  - ii. HR will communicate the situation and planned deduction to the employees at least five work days before the pay date.
  - iii. HR will deduct the full amount due unless that amount is greater than 15% of the employee's monthly Net Disposable Earnings (NDE). HR will split the deduction amount two months for amounts due between 16% - 30% of the employee's monthly NDE. For amounts due  $\geq$  31% HR will deduct approximately 15% of NDE per month unless the employee resigns/retires, in that case, HR will deduct the total amount from the final pay.

**Administrative Rule 3.17.2: Disability Insurance**

*Adopted 11/12/96*

*Revised 11/8/05(RF), 8/13/13(RF), 4/4/16, 7/21/17, 6/17/21(RN)*

Eastern Wyoming College provides a Disability Insurance Plan for which payroll deductions are made at a rate determined by the carrier each year after reviewing the salaries and ages of the covered employees. It is a total disability plan which assures a monthly income including Social Security, Wyoming Retirement System, TIAA/CREF, Workmen's Compensation, equal to 60% of your covered monthly salary as of the date the disability began, not to exceed \$5,000.00 monthly. In no event will the Monthly Income Benefit be less than \$100.00.

All full-time employees are eligible for this plan as of the first day of the month coinciding with or next following the completion of one (1) month of service. An enrollment application form is available in Human Resources as is a copy of the policy.

**Administrative Rule 3.17.3: Flexible Benefit Plan**

*Adopted 5/14/02*

*Revised 11/8/05(RF), 8/13/13(RF), 5/2/16, 6/17/21(RN)*

Eastern Wyoming College through the State of Wyoming's agreement with the Internal Revenue Service (Code 125) offers its employees a Flexible Benefit Plan. The Plan Year begins January 1 and ends December 31 each year. The employee has an opportunity to change elections under the Flexible Benefit Plan each year.

Three different options are available for tax savings. The Flexible Spending Account allows a reduction to an employee's annual earnings by the amount of insurance premiums he/she pays out-of-pocket. The Medical Care Reimbursement Account allows a reduction to an employee's annual earnings by a specified amount set aside for unreimbursed medical expenses. This annual deduction cannot exceed the amount determined by IRS guidelines. The Dependent Care Reimbursement Account allows a reduction to an employee's annual earnings by a specified amount set aside for daycare, babysitting expenses. This annual deduction cannot exceed the amount determined by IRS guidelines.

An employee may choose any or all of the options or may also choose not to participate in any of the options.

**Board Policy 3.18: PERSONNEL FILE POLICY**

*Adopted 7/12/02*

*Revised 11/8/05(RF), 8/13/13(RF), 6/17/21(RN)*

*Reviewed 2/12/19*

The Director of Human Resources maintains a file for all full-time and benefitted employees and part-time faculty members.

**Administrative Rule 3.18.1: Personnel File**

*Adopted 7/17/02*

*Revised 11/8/05(RF), 8/13/13(RF), 7/21/17, 12/17/18, 6/17/21(RN)*

It is the employees' responsibility to ensure that official transcripts, other evidence of Professional Growth and Development, and other licenses/certification including equivalency statements of foreign credentials, as required by the College or its accrediting bodies, are submitted to the Director of Human Resources for inclusion in the personnel file.

The file may be examined only according to the Family Educational Rights and Privacy Act of 1974.

**Board Policy 3.19:       REDUCTION IN FORCE**

*Adopted 3/3/92*

*Revised 11/8/05(RF), 8/13/13(RF), 9/11/18, 6/17/21(RN)*

Eastern Wyoming College strives to provide employees a stable and secure work environment. However, it may be necessary under certain circumstances to eliminate multiple positions due to budgetary constraints, program reductions, reorganization or other business needs. This policy establishes a process to eliminate permanent full-time/benefitted and part-time positions in these circumstances. The reduction in force (RIF) policy shall be implemented only after the Board of Trustees have agreed by an affirmative vote with the College President’s recommendation, in consultation with the President’s Cabinet and other supervisors that conditions warrant such action. At that point the College President will implement reduction in force determinations. Applicability of this policy supersedes all other College policies related to employment.

**Authority.** When determining whether a Reduction in Force is necessary the President of Eastern Wyoming College, in consultation with the President Cabinet and other supervisors, will closely study and evaluate current and projected future funding, historic, current and projected future demand for courses, programs, or services and their related cost effectiveness, and future curriculum plans and needs. If the College President then determines that the best interests of the College may only be met by a reduction in force, the President, after securing Board of Trustees approval will implement a reduction in force (RIF) as outlined herein.

**Implementation.** Following an analysis of the College’s academic and business needs and organization structure, the following steps will be used to identify the positions that will be eliminated by a reduction in force.

- a. An analysis by the President and President’s Cabinet of the job functions and positions that any program or department needs going forward. Said analysis will include input from work center supervisors to help determine what positions are non-essential and which positions may be eliminated. The duties of any position may be allocated to other positions of the same or lower classification.
- b. When there are multiple persons in a position that has been selected for elimination, the skills, qualifications/certifications, and length of EWC service of said individual employees will be evaluated. Human Resources will assist in the review process, evaluate criteria and provide seniority validations. The following factors described immediately below may be considered in this assessment:
  - i. Skills and qualifications – special skills may be considered, as well as additional education, licensure and certification
  - ii. Length of employment – seniority is based on the College hire date and prorated for periods of part-time employment
- c. After the assessment, the EWC President, following final coordination with the Executive Administrators will determine the position(s) to be included in the reduction in force. The final positions decision rests with the EWC President.

- d. The Human Resources Office will assist in preparing the written notice for the affected employee(s) and confirm any severance pay and benefits.

**Compensation and Benefits.** The College will strive to ensure all employees whose position was selected for elimination by the RIF will receive at least thirty (30) days' notice. If the effective date of a RIF action results in the elimination of a position within sixty (60) calendar days of the employee's receipt of the RIF written notice, the subsection regarding severance pay shall apply, but ONLY to benefitted employees in permanent positions (i.e., Administrator, Tenured Faculty, Professional, and Classified Staff). Employees in at-will and interim positions (e.g., Non-tenured Faculty, Adjunct Faculty, Probationary Classified and Probationary Professional staff, etc.) are not eligible for severance pay. At a minimum, all employees whose position was selected for elimination will receive a combination of severance pay and/or time notification equal to the equivalent of 30 calendar days/four work weeks/one month.

Employees whose employment is discontinued because of a RIF were selected to receive severance pay, shall receive an amount as identified below:

- a. Individuals employed by the College five (5) consecutive years or less will receive one (1) month's wage /salary value.
- b. Individuals employed by the College more than five (5) consecutive years will receive two (2) month's wage/salary value plus 0.5% of annual salary for each full year of benefitted College service not to exceed 10 years.

Eligible employees will receive severance pay as outlined above upon signing a Separation Agreement. Severance pay will be provided not later than two weeks after the RIF action is effective, or earlier, either in a lump sum or periodic installments as decided by Eastern Wyoming College and as set forth in the Separation Agreement, less withholding for taxes.

Severance pay and health care supplement pay will not be paid if the employee accepts a different position with EWC within the period of time between when the employee was notified of the RIF action and when the RIF action takes effect. After the employee ends their EWC employment, any unpaid severance pay will be discontinued if the former employee is reemployed with EWC.

Employer contributions to the retirement plan cease at the time of termination. Other voluntary benefits, including long-term care, supplemental disability insurance may be continued on a self-pay basis by contacting the insurance carrier. If the employee wants to continue health and dental insurance, it is the responsibility of the employee to apply for COBRA and pay the insurance premiums to continue coverage.

In accordance with policy, EWC will honor an approved tuition benefit request for the employee's dependents during the remainder of the semester for which the student is currently enrolled.

**Separation Agreement.** The College will prepare and provide a written Separation Agreement to the employee. The Separation Agreement will allow the employee forty-five (45) calendar days from the date of receipt to consider the terms and conditions of the Agreement, including the provision for severance pay and the requirement for the employee's release of claims.

The Separation Agreement will not be effective, and any severance pay will not be paid, unless the employee agrees to the terms of and signs the Separation Agreement during the 45-day period. The signed Separation Agreement shall be given to Human Resources where it will be filed in the employee's Personnel Folder.

**Re-hire Procedures.** Rehiring of RIFed employees will be according to the following procedure:

- a. Rehiring RIFed employees shall occur within position Classifications and in order of seniority based-on employees' benefitted date-of-hire. The proposed RIF re-hire individual must meet the employment-specific qualification requirements of the open position according to the approved Job Description. However, RIFed employees with temporary status shall not have rehire rights.
- b. Rehiring rights of RIFed employees shall be limited to two years from the date of the layoff. RIFed employees must maintain a current email, mailing address and phone number with the Eastern Wyoming College Human Resources and must respond to the rehire employment offer within a 14-day period commencing with the deposit of the vacancy notice in the U.S. mail. The rehire employment offer shall be sent by certified mail. Failure of employee to maintain current mailing address and phone number will constitute a waiver of rehire rights.
- c. RIFed employees must accept positions of comparable status or lose rehire rights. Comparable status shall mean: 1) equal monthly pay rate (unless a pay reduction for employees of the same classification has been implemented); 2) equal hours (within a five- hour weekly variance); and 3) similar position classification and contract year +/- one month. Qualified RIFed employees may apply for vacancies in positions provided all RIFed employees of the unit in which the vacancy exists have been rehired or have forfeited their rehire rights. Rehired employees shall retain previous seniority rights.

**Board Policy 3.20: PAID LEAVE**

*Adopted 6/30/92*

*Revised 11/8/05(RF), 8/13/13(RF), 6/17/21(RN)*

*Reviewed 2/12/19*

Eastern Wyoming College provides benefits to all eligible benefitted employees.

**Administrative Rule 3.20.1: Paid Leave**

*Adopted 11/9/99*

*Revised 11/8/05(RF), 10/9/07, 10/3/12, 8/13/13(RF), 7/25/16, 2/27/17, 10/29/18, 11/15/18, 6/17/21(RN)*

**Vacation**

Vacation days are provided to all regular benefitted non-instructional employees. Vacation is accrued from July 1 through June 30<sup>th</sup> each year. Vacation days must have prior approval from supervisor. Employees may carry over from one year to the next one half of the total annual vacation days for which they are eligible. Any additional carry over vacation that is not taken by August 31<sup>st</sup> will be forfeited unless special permission is granted from the President. Upon employment termination, EWC will pay to employees their unused Paid Leave/Vacation balance at their hourly earnings rate.

Employees may use accrued Vacation or Health/Wellness Personal Leave days while on official College travel provided the trip's extended duration doesn't increase EWC financial costs or otherwise doesn't impose additional responsibilities on the College or its staff. Employees must inform their supervisor of their extended travel intentions before business trip departure if the itinerary addition impacts other EWC employees or equipment. Enroute vacation on weekend or other non-duty days will not reduce one's leave balance. Employees are encouraged to notify supervisors of their extended travel plans before departing on official EWC business. EWC will not incur additional parking, air travel, lodging or other associated costs with taking Vacation or weekend or other non-duty days in conjunction with official business travel. Vacation is pro-rated according to the number of months and percent of full-time defined in the employee's contract/appointment letter, and his/her level on the salary schedule based on the following:

**Professional and Administration**

Earn 1.75 days per month

**Classified Staff**

*Level B23 - B31*

Earn 1.5 days per month for the first five (5) years of service; 1.75 days per month worked after five (5) years of service.

*Level A12 - B22*

Earn one (1) day per month worked for first five (5) years of service; 1.5 days per month for five (5) to ten (10) years of service; and 1.75 days per month after ten (10) years of service.

**Advance Leave**

Benefitted employees whose Paid Leave balance is zero, or whose balance will fall below zero while on vacation, may request to borrow Paid Leave hours/days they will earn in future months. Employees may submit up to one request per fiscal year not to exceed five total days Advance Paid Leave. Requests



must be submitted in writing to the employee's supervisor; the supervisory chain will review and route the request to the President. The EWC President will provide written approval or disapproval of requests. Employees will repay or have deducted from their pay approved Advance Paid Leave, which they have taken, if their College employment concludes before accruing a positive Paid Leave balance. Upon employment termination HR will calculate the employee's Paid Leave balance to the hour using the employee's most current Health/Wellness (H/W) Leave Report (as prepared and distributed monthly by HR) and the employee's final H/W Leave Report submitted as part of their out-processing. If the calculation results in a negative Paid Leave balance that amount is multiplied by the employee's hourly earnings rate to determine amount owed.

### **Faculty Break Days**

Faculty Break days are provided to all benefitted college instructional faculty who are assigned instructional duties by full-time employment contract. Faculty Break days are determined by the academic calendar, and must be taken during those days identified as break days on the academic calendar.

**Holidays:** Holidays for the fiscal year are New Year's Day, Martin Luther King Day, Good Friday, Memorial Day, July 4, Labor Day, Thanksgiving Day and the day following, and Christmas Day.

If the holiday falls on a Saturday, the preceding Friday will be substituted. If the holiday falls on a Sunday, the following Monday will be substituted.

### **College Closure Days:**

At the President's discretion, there are certain days during the year when the college will be closed other than the designated holidays. These days will be determined annually. Ordinarily for a fiscal year college closure days are Fair Day and December 24 through January 1 or January 2 if New Year's Day falls on Sunday.

Following Vice President coordination and EWC President approval, the Associate Vice President for Converse County may designate one day during the summer months as Fair Day for Douglas Campus personnel.

Holidays and College Closure Days are benefits designed for all employees. Benefitted employees with five work days per week and whose normal two-day weekend includes a Holiday or College Closure Day as listed above are entitled to a day-off following coordination and scheduling with their supervisor.

### **Administrative Rule 3.20.2: Emergency College Closure or Delayed Opening**

*Adopted 12/8/92*

*Revised 11/8/05(RF), 8/13/13(RF), 2/27/17, 5/26/20, 6/17/21(RN)*

For this rule, essential personnel is defined as employees in a position who may be required to remain at their work location or report to work to protect, recover, and continue operations when the college is faced with an institutional emergency. These positions may include security, safety, custodial (i.e. snow removal, animal care), food services (if residence halls remain open), emergency purchasing and processing authority, President's Cabinet members, and/or residence hall director.

In the event of unusual circumstances resulting from extremely adverse weather, natural disaster, fire, or other natural emergency beyond management control, it may be necessary for management to delay opening and/or close some or all college operations in accordance with procedures established in this Administrative Rule 3.21.2.

Announcements for unexpected closure or delayed opening of the college shall be made over local media and via established protocol.

**Short-term Closure.** Short-term closure is 14 or less consecutive days and may occur for any unexpected reason. Only benefitted employees will receive regular pay for scheduled work days and they will not be charged any leave. The College may require essential personnel; if so, these employees will be informed of such and required to report to work. If college operations are open at a given location, all employees are expected to work unless travel to and from the location is impossible due to road closure. In such case, or if the employee deems travel is unsafe, employees are expected to communicate directly with their supervisor. Absences for benefitted employees will be handled in one of the following ways as to the employee's discretion and with supervisor approval:

- Chargeable to accrued Personal Leave days (within Health/Wellness Leave), Emergency Leave (within Health/Wellness Leave), or Paid Leave.
- Chargeable to compensatory time (if applicable).
- Chargeable to leave without pay.

**Long-term Closure.** Long-term closure is 15 or more consecutive days and may occur for any unexpected reason. Benefitted employees may receive regular pay for scheduled work days pending duration of forecasted closure, President's decision, and Board approved action. The Board may choose to continue regular pay and Paid Leave Benefits in extenuating circumstances. The College may require essential personnel; if so, these employees will be informed of such and required to report for work. All employees will be informed once college operations re-open at a given location; upon notification all employees are expected to report to work unless travel to and from the location remains impossible due to road closure. In such case, or if the employee deems travel is unsafe, all employees are expected to communicate directly with their supervisor. Benefitted employee absences will be handled in one of the following ways as to the employee's discretion and with supervisor approval:

- Chargeable to accrued or Personal Leave days (within Health/Wellness Leave), Emergency Leave (within Health/Wellness Leave), or Paid Leave.
- Chargeable to compensatory time (if applicable).
- Chargeable to leave without pay.

**Board Policy 3.21: CONTRACT POLICY**

*Adopted 1/25/00*

*Revised 11/8/05(RF), 2/2/10, 8/13/13(RF), 6/17/21(RN)*

Eastern Wyoming College will issue employment contracts to the President, all instructional employees, and staff at the Executive Administrator level, who are at least half-time. Non-faculty staff below the Executive Administrator level, who are at least half-time, will be issued letters of appointment.

**Administrative Rule 3.21.1: Contract Policy**

*Adopted 01/25/00*

*Revised 11/8/05(RF), 2/2/10, 8/13/13(RF), 6/17/21(RN)*

The length of the contract and the number of working days during the year will be based on 12 months. A contract for a period less than 12 months is calculated as a fraction of a twelve-month contract. Length of contract, work assignment, benefits and hours worked are as described in Administrative Rule 3.21.2.

According to Administrative Rule 3.2.3, non-faculty employees who are at least half-time and are below the level of Executive Administrator shall serve a probationary period not to exceed one year. If an employee’s work is not satisfactory, he or she may be dismissed at any time during the probationary period without cause assigned or right of appeal.

**Administrative Rule 3.21.2: Contract Rule**

*Adopted 01/25/00*

*Revised 10/11/05, 12/8/09, 8/13/13(RF), 4/4/16, 6/17/21(RN)*

**Working Days.** The number of working days during the contract year for all employees of Eastern Wyoming College, exempt or nonexempt, employed at least half-time shall be based on the number of work months:

12-month employee	260 working days
11-month employee	238 working days
10-month employee	217 working days
9-month employee	195 working days

A contract or work assignment for a period of time different from those shown above is calculated as a fraction of a twelve-month assignment.

An employee’s exempt/non-exempt status is determined in accordance with criteria established by the Department of Labor through the Fair Labor Standards Act. All permanent employees employed at least half-time are eligible for paid vacation/recess, holiday, college closure, and health/wellness leave as defined in Administrative Rule 3.15.1 and 3.21.1.

**Absences.** Full-time employees are contracted for a minimum of 35 hours per working week in the place(s) to which they are assigned. For all planned absences, approval of supervisor must be obtained prior to leave. If it is necessary for instructional faculty to be absent from the assigned place during hours scheduled, the college receptionist shall be notified. For all other employees, the supervisor shall be notified.

For teaching faculty, working days include:

Faculty duty days – every instructional day, in-service, commencement and other days scheduled by the Chief Academic Officer. Normally scheduled faculty duty days may not be used for recess or "instructional preparation" time.

Instructional preparation days – days for which faculty are not normally required to be on campus, these days are considered to be in excess of faculty duty days and paid leave days.

**Board Policy 3.22: EVALUATION**

*Adopted 3/9/93*

*Revised 11/8/05(RF), 8/13/13(RF), 6/17/21(RN)*

*Reviewed 2/12/19*

The Board directs and delegates to the President the responsibility of developing, organizing and implementing a system-wide program for a written evaluation of employee performance.

**Administrative Rule 3.22.1: Purpose of Evaluation**

*Adopted 3/9/93*

*Revised 11/8/05(RF), 8/13/13(RF), 6/17/21(RN)*

The purposes of evaluation shall be:

- To promote excellence, to improve employee skills, and to provide a basis for personnel decisions.
- To upgrade the effectiveness of employees by increasing accountability of each individual, and to improve the working together of all employees of the college.
- To create the means to encourage continuous self-assessment, improvement and growth by each member of the college.
- To promote professional excellence, provide a basis for the review of performance, and improve the skills of members of the institution.
- To promote the effectiveness of all individuals involved in the teaching, service and administrative processes by examining individual accountability for program, performance and institutional goals.
- To improve communication and understanding between an individual and his/her supervisor regarding the individual's responsibilities, general work assignments, and the standards for good performance.
- To develop or review on a yearly basis specific, realistic, and mutually agreeable goals, plans, and information that will assist the individuals in making the most effective use of their skill, effort, and time in the performance of their work.
- To provide data useful in improving instruction and instructional support through self-improvement and college-assisted staff development.
- To provide data useful in the identification of deficiencies and the development of activities of assistance to eliminate deficiencies.
- To encourage quality education to ascertain and strengthen weakness in the education process and to ascertain whether the professional performance of employees is "satisfactory" or "unsatisfactory" in view of the institutional goals and expectations.
- To formally acknowledge acceptable performance and commend excellent performance.

- To provide a fair and effective means of removing from the staff those employees who have deficiencies and who, after receiving help and assistance, either refuse or fail to improve sufficiently.

**Administrative Rule 3.22.2:     **Philosophy of Evaluation****

*Adopted 3/9/93*

*Revised 11/8/05(RF), 8/13/13(RF), 6/17/21(RN)*

The evaluation process shall be guided by the following philosophy:

In every field of endeavor, there is the need for judgment and decision on the quality of performance and achievement of personnel. In the field of higher education, the belief is that the evaluation will be cooperative and constructive. This is most likely to occur when the individual being evaluated and the person responsible for the evaluation believe in a joint responsibility to focus on the performance areas of strength as well as those in need of improvement.

Evaluation embodies principles and values held to be important for effective completion of duties so all employees can feel that the basis of evaluation is meaningful. Further, the values embodied in the evaluation should influence the directions in which people develop and the particular skills and proficiencies for which they strive.

Therefore, it is vital that the evaluation system reflect the institutional values and be significant to the operation of the college. It is only in this context that a meaningful evaluation system is established. The purpose of evaluation, is to be directed toward the identification and the commendation of effective performance as well as to define areas requiring attention, and to formulate recommendations which assist the individual in improving and developing his or her potential.

The Evaluation of faculty, staff and administrator performance must be a cooperative, continuing process designed to improve the quality of instruction and services provided by Eastern Wyoming College. All employees shall be involved in the evaluation process, and share the responsibility for developing and maintaining professional standards and attitudes regarding the evaluation process.

**Administrative Rule 3.22.3:     **Performance Evaluation of Non-teaching Personnel****

*Adopted 11/11/97*

*Revised 11/8/05(RF), 8/13/13(RF), 6/17/21(RN)*

The formal evaluation of EWC nonteaching personnel will take place at least on an annual basis. Evaluations for probationary employees will take place after being employed six months and again at the end of the probationary period of one year.

Informal performance reviews should be conducted at least quarterly. Supervisors must coach employees to perform at their best and communicate with them regularly. The formal evaluation should merely be a summary of performance that has been discussed openly throughout the year.

**Evaluation of Administrators will take place each December. Evaluation of All Other Nonteaching Personnel will take place each January.**

- a. Each employee will evaluate herself/himself by completing the EWC Performance Evaluation form, and submitting it to his or her supervisor.
- b. The written performance evaluation of the employee will begin with the supervisor completing the EWC Performance Evaluation. The evaluation will be based on Job Description, accomplishment of established goals, and professional activities.
- c. Upon completion of the EWC Performance Evaluation, the supervisor will arrange a Performance Evaluation Interview with the employee. During the interview, the employee and the supervisor will establish employee goals and objectives to be accomplished in the ensuing evaluation cycle.
- d. At the conclusion of the Performance Evaluation Interview, the employee and supervisor must both sign the completed Performance Evaluation form. It will then be forwarded to the appropriate Executive Administrator or President for his or her review and signature, and finally submitted to the Human Resources Office for placement in the employee's personnel file.

**Board Policy 3.23: WHISTLEBLOWER POLICY**

*Adopted 10/10/17*

*Revised 6/17/21(RN)*

The College recognizes the right of individuals to engage in legally protected activity without fear of retaliation. The College is also committed to compliance with the laws, policies, and regulations, responsible stewardship of its financial resources, accountability of employees, and maintaining a community in which students, faculty, and staff can work and learn together in a positive and productive atmosphere. The College expects all employees and students to report conduct or suspected conduct that they, in good faith, believe may violate federal, state, or local laws or EWC policy. Employees who exercise the right to file a complaint, an appeal, report discrimination, or cooperate in an investigation are protected from adverse employment, academic, or educational action motivated by the protected activity. These protections extend to intimidation, harassment, discrimination, or other retaliation. Whistleblower or retaliation allegations will be treated seriously, separate and distinct from the original complaint.

**Administrative Rule 3.23.1: Implementation**

*Adopted 10/10/17*

*Revised 6/17/21(RN)*

Any employee or student who wishes to report suspected violations may do so by contacting the Human Resources (HR) office. Reports must be written and dated. While a report may be made anonymously, doing so may hinder the College's ability to conduct an inquiry or investigation and resolve the complaint. Reports may be filed involving financial, environmental, and safety-security matters as well as situations involving violations of law, policy, and regulations (e.g. data privacy, conflict of interest, ethical conduct). Submitting a false report or providing false information during an inquiry or investigation without a good faith belief the report is true is grounds for administrative action. Reports of violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate inquiry or investigation, to comply with applicable laws, and to cooperate with law enforcement authorities. The College is committed to resolving reports at the lowest level possible. Upon receipt of a report an inquiry will be initiated; the results of an inquiry may lead to an investigation. It is the duty of the inquiry official and investigation officer/team to obtain evidence beyond that which was submitted in the original report. Individuals who submit reports are not investigators and are not to perform investigative duties.



**Board Policy 3.24: EMPLOYEE PERFORMANCE, COACHING, AND DISCIPLINE**

*Adopted 11/14/17*

*Revised 6/17/21(RN)*

**Introduction.** Eastern Wyoming College is committed to providing all employees equitable, defined, and useful procedures for addressing performance and conduct deficiencies. Certain policies and rules regarding employee performance and behavior are necessary for the efficient operation of the College and for the safety and benefit of students, employees, and the public. Employees are expected to contribute to a professional, productive, and cooperative effort (e.g. Board Policy 3.10, EWC Employee Code of Ethics) that conducts College business to best serve its students and communities. Conduct that interferes with operations, discredits the College, or violates performance or ethical standards is not tolerated.

**Corrective Action Options.** To rectify instances of unacceptable employee performance and/or behavior, the College utilizes a progressive system that encourages employees toward corrective action and provides the employee sufficient time and opportunity for improvement while maintaining just treatment to all. This system spans a corrective-action spectrum that includes both coaching and disciplinary steps. At the onset of any employee performance or conduct deficiencies, supervisors are expected to address concerns consistently and implement steps within the spectrum through coaching and, if necessary, discipline. The process helps and guides supervisors to assist employees with remedying unsatisfactory job-related conduct and/or performance. Each situation and employee is unique and all actions will be determined on a case-by-case basis. For Steps 1-5 below the College reserves the right, through the supervisor, to choose which steps it deems appropriate at any time regardless of an employee's length of service, prior conduct, or performance record. This same right for Steps 6-7 is reserved for the College President. The College is responsible for informing the employee clearly of its intent when initiating or applying any Discipline Step. The College encourages informal resolution of initial or minor infractions or shortcomings whenever possible.

The College's progressive, seven-step, corrective-action spectrum process includes:

**Coaching Steps**

1. Verbal Counseling
2. Written Counseling
3. Assigned Training

**Discipline Steps**

4. Verbal Warning
5. Written Warning
6. Suspension
  - Disciplinary Suspension (without Pay)
  - Investigative Suspension (Administrative Leave with Pay)
7. Discharge/Termination

**Egregious Behavior.** A serious action or behavior that may result in termination at a single occurrence. Examples include, but are not limited to: dishonesty, immoral conduct, insubordination, falsifying college records, use or being under the influence of alcohol or illegal drugs at work, inappropriate use of prescription drugs, uncivil treatment of the public, students, and employees, theft, verbal or physical abuse, violation of college or departmental policies, and interference with the job responsibilities of other college employees.

**Employment Termination.** The College values its employees and believes immediate employment termination is appropriate only in egregious cases of performance and/or behavior issues. Consistent with this belief is the College's desire to correct employee performance/behavior deficiencies before they rise to a level requiring Discharge. Supervisors are responsible for identifying and correcting deficiencies as soon as practicably possible and initiating the appropriate corrective-action for Steps 1-4. Depending on the facts and circumstances involved in each situation, including the College's assessment of the seriousness and/or repetitive nature of the deficient performance or behavior, the College reserves the right to discharge an employee immediately; this may be the first and only disciplinary step taken. Supervisors may recommend discharge of probationary, non-tenured instructors, and Vice Presidents without implementing this policy or its related Administrative Rules. Supervisors may discharge temporary, part-time and adjunct instructor employees without implementing this policy or its related Administrative Rules. The College President will review all benefitted employee discharge cases and in these matters serve as the sole discharge authority. The College abides by all federal, state, and local laws regarding employee discharge.

**Administrative Rule 3.24.1: Coaching Definitions and Procedures**

*Adopted 11/14/17 Revised 6/17/21(RN)*

In most circumstances, the Coaching Steps of the corrective-action process begins with an initial discussion between the supervisor and employee. Coaching Steps are not disciplinary; rather, they demonstrate the supervisor's attempt to correct deficient performance and/or behavior quickly and at the lowest level possible without attaching the negative stigma of discipline. Coaching Steps are not required.

**Verbal Counseling.** A face-to-face, verbal conversation between a supervisor and employee about an observed performance and/or behavior deficiency of a minor nature. The conversation may or may not be in private. Its purpose is to correct the deficiency by bringing it to the employee's attention in an informal and casual manner. The conversation may identify a training shortfall and/or the employee's lack of understanding regarding the Job Description, supervisor expectations, or College policies/rules. Documentation is not required. An informal record of the discussion and related facts made and retained by the supervisor is encouraged.

**Written Counseling.** An informal written record between a supervisor and employee delivered in private about an observed performance and/or behavior deficiency of a minor nature. It is used when increased emphasis of a deficient situation is necessary. Its purpose is to correct the deficiency by ensuring the employee is fully aware of the situation and offer suggested remedy action(s). By its very nature, it is documented informally; the supervisor retains a copy of the written memo in their work center files. See *Appendix C for a Written Counseling template/example.*

**Assigned Training.** Upon supervisor realization an employee is insufficiently prepared to perform their position's duties training may be assigned. Employee completion of College assigned training is required and at organization expense. The training may be informal or formal, on or off-campus, free or fee required. In all cases, supervisors must: 1) inform employees of assigned training in writing; 2) state specifically the training's purpose; and 3) identify a reasonable date for completion. The supervisor or the employee may identify and finalize the training venue/method.

If applicable, supervisors are responsible for resolving funding requirements. Employees are responsible for voucher and proof-of-training completion documentation. Assigned Training is not a Performance Improvement Plan (PIP) but it may or may not be formal in nature. The training itself may be delivered by the supervisor, another work center employee, another College employee, or a non-affiliated College third party entity.

**Performance Deficiency.** Work performance or conduct that is unsatisfactory and warrants corrective measures. Examples include, but are not limited to: the inability to perform assigned duties at an acceptable level including safety, quality, and quantity, neglect of duty, or failure to report to work without notice for three or more work days.

**Administrative Rule 3.24.2: Discipline Definitions and Procedures**

*Adopted 11/14/17*

*Revised 6/17/21(RN)*

The four Discipline Steps are progressive in nature in their severity and approach to corrective-action. To ensure equitability, uniform processing, consistent application of policy/rules, and adherence to law/statutes supervisors are encouraged to consult Human Resources (HR) prior to implementing any discipline. Supervisors are responsible to maintain a signed copy of all disciplinary documents and forward originals to HR for placement in the employee's Personnel Folder.

**Verbal Warning.** The first Discipline Step and an official action. At the College's discretion, it may or may not be the first step in the corrective-action process. It is a private, face-to-face verbal conversation between the supervisor and employee. The supervisor's supervisor or an HR staff member may also participate. The conversation informs the employee of a conduct and/or performance deficiency in the least intense manner. Its purpose is to correct the deficiency in an earnest and least formal method.

Items discussed are the specific deficiency, the required correction, associated goals and expectations, previous coaching or discipline attempts to correct the deficiency (if any), and the supervisor's commitment to help the employee reach the corrective action. The employee is accorded the chance to respond and explain their performance and/or conduct deficiency and before concluding express an understanding of what is expected of them. The supervisor must document the conversation and retain a copy of the written record in their work center files; submit the signed/dated original to HR for inclusion in the employee's Personnel Folder. *See Appendix D for a Verbal Warning example.*

**Written Warning.** An official and written record between a supervisor and employee delivered in private. At the College's discretion, it may or may not be the initial step in the corrective-action process. An employee in the supervisor's chain-of-command or an HR staff member must participate. The main purpose of this formal record is to correct the employee's performance and/or conduct deficiency. The documentation's secondary purpose is to record the situation accurately, contribute to the employee's performance record, and warn the employee that future deficiencies/violations will result in additional disciplinary action.

Supervisors must deliver a Written Warning within 15 working days of the date they observed the deficient performance or conduct. Upon delivery, the employee is required to sign the Written Warning and within three working days may provide a written response. The third party present at the Warning delivery will initial and date the memo if the employee refuses to sign/date. Originals are sent to HR for inclusion in the employee's Personnel Folder while the supervisor and employee retain copies. If an HR

staff attends the Warning delivery, supervisors must notify their direct supervisor of the situation. See *Appendix E for a Written Warning template.*

**Suspension.** Suspension is a significant disciplinary action due to misconduct or alleged misconduct that is very serious, or repeated instances of performance or behavior deficiencies. In the latter case, there is a pattern of performance and/or behavior where the employee has continually engaged in one policy, rule, or procedure violation after another and has received documented verbal and/or written warning but with no positive effect. When enacted, an employee is relieved of their job duties for a length of time. The length of suspension varies and depends on the facts of each case (e.g. performance/behavior type, severity, and previous disciplinary action). An employee may receive notice a suspension is warranted but due to College operational concerns the employee remains at work.

Supervisors will deliver Suspension notices personally or by certified mail if the employee is unavailable. If personally, supervisors will be accompanied by their supervisory or a HR staff. The Suspension notice will contain the start and end dates, the specific reason(s) for the suspension, and whether it is with or without pay. The employee will sign and date the Employee Indorsement portion and return it to acknowledge their receipt and understanding of the action. The signed and indorsed notice will be filed in the employee's Personnel Folder. The third party present at a personal delivery will initial and date the memo if the employee refuses to sign/date. Supervisors must obtain approval from their appropriate Vice President and consult with HR before implementing a suspension. There are two types of Suspension: A) Disciplinary Suspension; and B) Investigative Suspension.

**Disciplinary Suspension.** A final written warning of performance and/or conduct deficiencies that must be corrected immediately! It is punitive in nature and is implemented without pay. Leave balances may not be used. There is no minimum suspension duration but it will not exceed 10 working days; common durations are 3-5 duty days. Multiple days suspensions must be taken consecutively.

**Investigative Suspension.** Official written notice for a period of time an employee is relieved of their assigned duties because of alleged performance and/or conduct deficiency of such a serious and egregious nature that it must first be verified through an investigative process. It is commonly known as Administrative Leave and is enacted with pay. It is not punitive in nature and its duration varies. The HR Director will conduct a full investigation to determine the facts of an action/situation that led to the suspension. Following 10 investigative duty days the HR Director will recommend to the College President: 1) extend the current suspension pending further investigation; 2) recommend Discharge; 3) reinstate the employee and implement an appropriate corrective-action step; or 4) immediately reinstate employee without disciplinary action. The investigative process concludes with a published report of investigation. The HR Director files a summarized, written account of the action in the employee's Personnel Folder.

**Discharge/Termination.** Used when an employee failed to respond appropriately to one or more previous corrective-action efforts to correct performance and/or conduct deficiencies, or for single instances of extremely serious and egregious behavior. Discharge requires supervisor recommendation and concurrence by the chain-of-command; the College President is the approval authority.

Supervisors will meet with the HR Director (for Professional or Classified staff) or Academic Services Vice President (for Administrators and Faculty) to discuss the recommendation. Supervisors must provide relevant data to support the action. Pertinent data and any documentation will be reviewed together to determine if just cause exists; the HR Director will review the same to ensure accuracy and

completeness. If the data and documentation support Discharge the HR Director will discuss the recommendation with the College President and appropriate Vice President.

The Discharge Notification letter must include: 1) summary of performance problem(s) to date (if any); actions taken to support the employee's improvement/corrections and their results (if any); 3) last date of employment; 4) employee out-processing steps; 5) compensation data and summary of benefits; and 6) other pertinent separation information. The President and Vice President (or HR Director) will deliver the letter to the employee personally or by certified mail if the employee is unavailable. If delivered personally, the employee will sign and date the Employee Indorsement portion of the letter to acknowledge their receipt and understanding of the action. The signed original will be filed in the employee's Personnel Folder and a copy provided to the employee. The Vice President (or HR Director) present at a personal delivery will initial and date the memo if the employee refuses to sign/date. If the President decides discharge is not warranted, the HR Director will prepare a decision notification letter to the employee and include any actions that will be taken. Non-probationary employees have the right to appeal the discharge per the College's Grievance Policy.

**Administrative Rule 3.24.3: Documentation and Staff Responsibilities**

*Adopted 11/14/17*

*Revised 6/17/21(RN)*

Documentation is an indispensable component of any program. It is used to improve feedback between a supervisor and employee. Supervisors should deliver employee feedback immediately; when this is impractical or extremely difficult, documentation is the corrective instrument and a written record of what happened. In addition to the Coaching and Discipline Steps, employee feedback includes mentoring and development opportunities. Finally, documentation is critical when a supervisor needs/wants to recommend or validate an employee action to the College. Situation documentation is required and the key to supporting a decision; memory alone is not substantial enough to support a decision.

The HR Director is responsible for reviewing any suspension and discharge recommendations of Professional and Classified employees. The Vice President for Academic Services is responsible for reviewing and endorsing any suspension and discharge recommendations of Faculty employees.

**Board Policy 3.25: MANDATORY EVENTS**

*Adopted 12/12/17*

*Revised 6/17/21(RN)*

At Eastern Wyoming College the importance of employee in-service training doesn't end with new workers and there are important trainings during critical times during the school year. In-service training at the beginning of each semester is important to all EWC employees and oftentimes involves workplace safety, productivity, and satisfaction. Graduation for our students is an important milestone for our faculty and staff to share in with our students and their families and is the appropriate way to acknowledge our students and their success.

**Attendance at In-Service Training**

- a. All employees (administrative, faculty, professional and classified) are required to attend the fall and spring in-service training.
- b. All employees will be at their desks and work centers during return week for fall and spring unless arrangements are made with their supervisor and approved by the EWC President.

**Attendance at Graduation**

- a. All faculty employees attend commencement in appropriate academic regalia (i.e. academic gown, hood, honor cordons, and head covering) and march in the processional. Faculty employees must get prior approval from the Vice President of Academic Services to miss commencement for extenuating circumstances.
- b. Non-faculty employees who are required to or who choose to march in the processional must wear appropriate academic regalia.
- c. Non-faculty employees who provide logistic support are not required to wear academic regalia or march in the procession.
- d. All employees attending commencement will behave in a professional manner reflective of the ceremony and in recognition of student achievement.

**BOARD POLICY 3.26    FACULTY RESIGNATIONS    (Mistakenly approved as BP 3.9)**

*Approved: 1/11/22*

Faculty are hired with a contract which creates a legally enforceable promise on the part of the employee for the term of the contract, unless the faculty member can prove that he or she has good cause to end employment or the College agrees to release the faculty member from the contract. The College's agreement to let a faculty member resign when it is not required is called a "release" because the College is releasing the instructor from his or her contractual obligations. If a faculty member leaves employment without a release from the Board at a time when simple resignation is not possible, the College cannot force the educator to continue working for the College.

Resignations which occur after the above date, 60 days prior to the beginning of the first day of the upcoming semester are generally not accepted, unless the faculty member has worked with their supervisor and asked for a contract release from the Board. When resignations occur, rehire status to "Not Eligible for Rehire" may be placed in the faculty member's file.

**Appendix A – Administrative Rule 3.8.1 Professional Development Activity Guidelines**

ACTIVITY	SALARY SCHEDULE UNIT VALUE	APPLICATION REQUIREMENT	METHOD OF VERIFICATION	LIMITATIONS
<b>Academic Credit</b>	<b>1 unit for each semester credit hour earned at any accredited post- secondary institution.</b>	Indicate offering institution, start/end dates for class, course title, number, and catalog description.	Copy of grade report to Academic Services Office and copy to supervisor.  Official transcript to Human Resources Office when degrees are earned.	Classified staff without a bachelor’s degree may earn a maximum of 30 units for undergraduate or graduate credit. Professional staff without a master’s degree may earn a maximum of 15 units for undergraduate, upper division credit. Professional staff with a master’s degree may earn a maximum of 30 units for graduate credits. Units for academic credits below current degree status may be granted at the discretion of the Committee.
<b>Technical &amp; Continuing Education</b>	½ unit for 8 hours of lecture/ demonstration/application. 1 unit for each 16 hours of lecture/demonstration/application. 1 unit for each 32 hours of strictly laboratory training for which the employee does not earn a wage.	Indicate offering organization, start/end dates for class, class title, description, and an estimate of time spent on each type of class activity (lecture, demonstration, application).	Copy of grade report or certificate and appropriate documentation submitted to Academic Services Office and copy to supervisor.	No limit for approved educational activities.
<b>Workshop/ Seminar/ Conference</b>	¼ unit for 5-7½ contact hours. ½ unit for 8-15 contact hours. 1 unit for 16+ contact hours.	Indicate offering organization, dates of event, title of event, and a list of sessions you plan to attend, with approximate length of each.	Summary Report using approved template to supervisor then routed to Academic Services Office.	Maximum of 1 unit per activity. Maximum 5 units for one move.
<b>Special Project</b>	¼ unit for 8-15 contact hours. ½ unit for 16-30 contact hours. 1 unit for 32 contact hours.	Proposal describing purpose and objective of the project with timeline and how it will benefit the college.	Summary Report using approved template to supervisor then routed to Academic Services Office.	Maximum of 2 units per project. Maximum 5 units for one move.
<b>Publication</b>	Up to 3 units for published written work, musical composition, sound or video recording, or visual art works based on the Qualification Rubric.	Indicate purpose and objective of the publication, publication date, and how it benefits the college.	Record of publication submitted with application.	Maximum 10 units for one move.



**Appendix B – Administrative Rule 3.8.1 Qualification Rubric for Publications**

All items submitted for consideration must have been peer-, panel-, or board-reviewed, juried, auditioned, or otherwise vetted by an acceptance process befitting the medium and not previously published. Visual art works or other non-publishable work shall be considered.

	<b>½ unit</b>	<b>1 unit</b>	<b>2 units</b>	<b>3 units</b>
<b>Academic Written work</b>	Single book review	Article for non-academic publication; collaborative authorship of textbook	Academic article or literature review for journal or similar publication; chapter for academic textbook or compilation	Academic textbook
<b>Artistic Written work</b>	Poem, song lyrics or similar short work	Collaborative authorship of novel, short story, or similar work	Chapter for compilation	Novel
<b>Musical composition</b>	Arrangement of existing short-length work (i.e. pep band)	Short-length work (i.e. pep band); arrangement of existing single-movement work; collaborative composition (not including lyrics)	Full-length, single-movement work	Multi-movement work; musical theater, operatic, motion picture score
<b>Sound or Video recording</b>	Performance as supporting cast in motion picture short; performance with musical ensemble in single musical work Supportive creative staff for song recording or motion picture short	Performance as featured performer in motion picture short; featured soloist in single musical work Supportive creative staff for album or feature-length motion picture	Performance as supporting cast in feature-length motion picture; performance with musical ensemble or occasional soloist in multi-movement work; Assistant director, producer, or technician for album or feature-length motion picture	Performance as lead performer in feature-length motion picture; featured soloist in multi-movement musical work with multiple solos Director, producer, lead technician for album or feature-length motion picture
<b>Visual Art work</b>	Art work accepted into a national/international juried show/exhibition.	Art work accepted into a group show consisting of between two to four artists at a regional gallery/museum.	A solo exhibition of the artist’s work at a regional gallery/museum/exhibition center.	A solo exhibition/retrospective of the artist’s work at a nationally-prominent gallery, museum, or exhibition center.

**Appendix C – Administrative Rule 3.24.1 Written Counseling Example**  
*Revised 6/17/21(RN)*

To: John Doe (Work Center Name)  
Cc: Jane Roe (Add'tl Supv Title) [Not required]  
Fr: Joe Public (Duty Title)  
Date: November 21, 20xx  
Re: Written Counseling for Deficiency/Infraction

On Monday (November 5, 2016) I verbally coached John Doe about his duty performance regarding prompt and timely customer service. Over the past two weeks (20 October - 4 November) I observed that John was not answering the phone in a timely manner. Specifically, the phone was ringing five or more times before John would answer the incoming call; sometimes John did not answer the phone at all. These instances happened when John was not presently helping another customer. During the Verbal Counseling John was informed of my expectations for him and all Work Center staff regarding prompt phone answering and the correct use of the phone answering system. A ringing phone will be answered within four rings unless you are currently helping another customer.

After monitoring John's customer service performance, the past two weeks (5 - 20 November), I did not observe any positive change. Consequently, John and I met again in private, and without additional supervisor Jane Roe present, to discuss the situation. I first reminded John of our conversation on November 5, 2017. He acknowledged that he remembered the discussion. I then asked John if he again understood my expectations for the Work Center and specifically for him regarding answering the office phone. He replied "Yes". I also asked John if there was anything else that might be negatively affecting his duty performance regarding the phones. He replied "No". I then asked John why he wasn't answering the phone as instructed. He just shrugged and did not give a reply. I also asked John if he thought he had been given satisfactory training and instruction on how to answer the phone and use the answering system properly. He answered in the affirmative. I then re-stated my expectations to John in this area and encouraged him to work on improving this aspect of his performance. I told John that if he ever needed help to come see me. John understood and agreed that he would try to be better. I told John improvement needed to start immediately (i.e. the next day)!

Finally, John was informed that our discussion was considered Verbal Counseling and that I would retain a signed, written copy of our conversation in my Work Center internal files. The 15-minute meeting ended at 10:45 am.

Joseph Q. Public  
Duty Title

**Appendix D – Administrative Rule 3.24.2 Verbal Warning Template – Example**  
*Revised 6/17/21(RN)*

To: HR Personnel Folder (Doe)  
From: Joe Public (Duty Title)  
Date: February 10, 20xx  
Subject: Verbal Warning

Reference: (a) Verbal Counseling; January 18, 20xx

The letter is documentation of a Verbal Warning delivered in private to John Doe (Duty Title) by me the afternoon of Thursday, February 9, 2017. Its purpose was to inform John Doe of his performance (or conduct – if applicable) deficiency, specifically...he must keep confidential student and employee information secure and not share it with individuals who are not permitted to receive the information.

On Tuesday (February 7, 2017) I personally observed and heard John Doe, while sitting at his desk, share personal, protected information about one student to another, different student. Also, on Wednesday (Feb 8, 2017) I observed and heard John Doe, while standing at the copier, share confidential information about an employee with another employee.

During the Verbal Warning John Doe was specifically informed his actions violated both federal law (FERPA) and College policy (Board Policies 3.10 and 3.14). He was informed the required corrective-action he must make is never to share confidential or personally identifiable information about a student or employee with any other student or employee. I informed John Doe my expectation was for him to implement this correction immediately. This Verbal Warning was the second time John Doe and I had a discussion about the proper and improper handling and disclosure of confidential information; Ref (a) was the first time we discussed this matter.

Finally, I offered John Doe a chance to reply and expressed to him my confidence that he can make the necessary change to avoid illegal data sharing in the future. John replied by explaining his actions on Tuesday (7 Feb 17) and Wednesday (8 Feb 17) and then expressed his thoughts about what we discussed. John Doe concluded his comments with a full understanding of the requirement not to share confidential information. I was confident John Doe completely understood my expectation regarding this matter.

Joseph Q. Public  
Duty Title

cc: Jane Roe (Add'tl Supv Title) --- Optional

**Appendix E – Administrative Rule 3.24.2 Written Warning Template-Example**  
*Revised 6/17/21(RN)*

To: John Doe (Work Center Name)  
From: Joe Public (Duty Title)  
Date: May 10, 20xx  
Subject: Written Warning

Reference: (a) Subject and date of any previous written documentation

The purpose of this letter is to inform you officially of a serious performance and/or conduct deficiency for which you must take immediate corrective action. On Monday (March 6, 2017) I personally observed you yell and scream at the top of your lungs to a student in the hallway outside the Cafeteria because they bumped into you and didn't apologize or acknowledge the physical contact. Your actions were unprofessional and disrespectful and violated Board Policy X.X and Admin Rule X.X. This conduct is unacceptable and must not continue. [Describe the specific deficient performance and/or conduct you observed or was reported. Include the date/time and event sequence of the situation. List the specific Board Policy or Admin Rule violated. State the conduct and/or performance is unacceptable].

On Monday (April 26, 2016) you were verbally counselled when we previously discussed this exact matter after I observed you acted in a similar unprofessional manner toward a student. [List the dates of any previous corrective-action attempts for the same or similar deficiencies. List them as Verbal Counseling, Written Counseling, or Verbal Warning and give a short, general description].

As you continue to perform your assigned duties my expectations are for you to treat all students with respect and in a professional manner; you will not yell or scream at students. This conduct change must happen immediately. I am confident you have the motivation, talent, and attitude to make this communications adjustment starting tomorrow and maintain it into the foreseeable future. [Provide a specific statement(s) of the expected change in performance and/or conduct. State what correction(s) is needed and when (typically immediately but may be within a set time period (e.g. two weeks)). State your confidence in the employee's ability to perform properly in the future].

Future conduct infractions in the same or similar areas as described above (e.g. treating students in an unprofessional manner) will result in further disciplinary action(s) and may include employment termination. You must maintain a professional and respectful demeanor to all students at all times. This Warning will be retained in your Personnel Folder. [Provide a statement about possible future actions should conduct not change. Remind of the correct behavior. Inform the employee a copy of the memo will be filed in their Personnel Folder].

In accordance with EWC Board Policy 1.7 (Grievance Policy) in the College's Policies and Administrative Rules, you have the right to file a grievance.

Joseph Q. Public  
Duty Title

cc: Jane Roe (Add'tl Supv Title) HR Personnel Folder (Doe) (*continues on next page*)

## Employee Indorsement

The contents of this memo have been discussed with me by my supervisor. My signature below denotes that I understand and acknowledge the contents and the corrective action required. I also acknowledge and understand the potential consequences of non-compliance. My signature does not denote that I agree with the contents of this letter.

---

John R. Doe (Signature)

---

Date

**Appendix F - Administrative Rule 3.3.2 Faculty Rank / Position Titles**

<b>Academic Degree</b>	<b>New Hire, Adjunct/ Non-Tenure- track</b>	<b>New Hire, Benefitted, Tenure- track</b>	<b>Awarded Tenure per AR 3.3.1</b>	<b>After 5 Years of Tenured Experience + PD activity/units equivalent to 1 salary move. (See explanation/details below)</b>
Associate's Degree	Instructor	Assistant Professor	Associate Professor	Professor
Bachelor's Degree	Instructor	Assistant Professor	Associate Professor	Professor
Master's Degree	Instructor	Assistant Professor	Associate Professor	Professor
Doctorate Degree	Instructor	Associate Professor	Professor	Professor

**Professor: In order for faculty who possess an Academic Degree below a Doctorate to earn the rank/title of Professor, the following three steps must be met;**

1. Must remain in their teaching position for five total/cumulative academic years, not including summer terms, after earning tenure.
2. Per AR 3.8.2, must complete Professional Development (PD) activities and earn the required units equivalent for one salary move prior to or after obtaining tenure.
3. Complete and submit to HR the Professor Title Advancement Request Form to initiate the title change process. The Form is not/will not be used as a measurement for award and approval of the new rank/title.

**Upon AR 3.3.2 approval and implementation.**

1. Non-tenured faculty will possess the rank/title from the above table depending on their current status in the tenure process.
2. Tenured faculty who wish to secure the title of Professor can only do so after five years of EWC tenured experience, completion of PD activities, award of PD units as noted above, and submission of a completed Professor Title Advancement Request Form.
3. Tenured status and post-Tenured time earned at other institutions are not counted/applied for EWC rank/title.