



*Southern*  
Southern West Virginia  
Community and Technical College

***Board of Governors***

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**OCTOBER 11, 2012  
MEETING AGENDA**

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**Members**

Thomas A. Heywood, Chair  
Wilma J. Zigmond, Vice Chair  
Glenn T. Yost, Secretary  
Linda Q. Akers  
Kevin N. Fowler  
Shelley T. Huffman

Jada C. Hunter  
George Kostas  
Terry R. Sammons  
Eileen Aranas  
Debbie Dingess  
George Morrison

Joanne Jaeger Tomblin  
President

Southern West Virginia Community and Technical College  
 Board of Governors Meeting of October 11, 2012  
 The Resort at Glade Springs • 255 Resort Drive • Daniels, WV

Woodland Room 1 & 2  
 AGENDA

1. Welcome and Call to Order ..... Mr. Tom Heywood  
 Board Chair
2. Oath of Office ..... Mr. Samuel Litteral  
 Vice President for Finance and Administration
3. Self-Assessment Report ..... Mr. Howard Seufer  
 Counsel, Bowles Rice LLP
4. President's Report ..... Ms. Joanne Jaeger Tomblin  
 President
5. Assessment and Dual Credit Report ..... Dr. Cindy McCoy  
 Dean, University Transfer Programs
6. Technology Services Report ..... Mr. Gary Holeman  
 Chief Information Officer
7. Financial Report ..... Mr. Litteral
8. Action Items
  - 8.1 Appointment of Committee on Tuition and Fees ..... Chair Heywood
  - 8.2 Appointment of Institutional Mission/Vision Review Committee ..... Chair Heywood
  - 8.3 Approval of August 21, 2012 Minutes ..... pp. 2-7
  - 8.4 Final Approval of Proposed Institutional Policies
    - 8.4.1 SCP-1435, Inclement Weather and Emergency Situation Policy ..... pp. 8-13
    - 8.4.2 SCP-2156, Drugs in the Workplace ..... pp. 14-21
    - 8.4.3 SCP-2360, Holidays ..... pp. 22-25
  - 8.5 Approval of Proposed Institutional Policies for 30-day Comment
    - 8.5.1 SCP-1000, Manuals, Announcements, and Policies (MAP)  
 Development System ..... pp. 26-43
    - 8.5.2 SCP-1481, Naming of Facilities or Organizational Units ..... pp. 44-47
    - 8.5.3 SCP-1725, Private Scholarships ..... pp. 48-51
    - 8.5.4 SCP-2575, Overtime and Compensatory Time ..... pp. 52-58
    - 8.5.5 SCP-2700, Reduction in Work Force - Classified Personnel ..... pp. 59-65
  - 8.6 SAM.2000.1, Draft Employee Handbook ..... pp. 66-113
  - 8.7 Severance Benefit Plan (as amended) ..... pp. 114-131
9. Discussion Item
  - 9.1 2007-2008 Board of Governors Goals ..... pp. 132-133
10. Executive Session under the Authority of WV Code §6-9A-4(2)(A) ..... Chair Heywood
11. Adjournment ..... Chair Heywood

**Southern West Virginia Community and Technical College Board of Governors  
Board of Governors Meeting of August 21, 2012  
2900 Dempsey Branch Road, Room 428-C, Mount Gay, WV**

**Board Members Present:** Terry Sammons, Wilma Zigmond, Linda Akers, George Kostas, Jada Hunter, Debbie Dingess, George Morrison, Glenn Yost, Kevin Fowler, Shelley Huffman, Eileen Aranas

**Board Members Absent:** Tom Heywood, Kevin Fowler

**Administrative Staff:** President Joanne Jaeger Tomblin, Samuel Litteral, Allyn Sue Barker, William 'Bill' Cook, Rita Roberson, Pam Alderman, Darrell Taylor, Cindy McCoy, Gary Holeman, Steve Lacek, Merle Dempsey, (Higher Learning Commission Liaison), Emma Baisden

- 1. Call to Order:**  
Board of Governors Vice Chair, Wilma Zigmond, declared a quorum present and convened the meeting at 6:00 p.m.
- 2. Introduction of New Board Member and Oath of Office**  
Mr. Samuel Litteral, Vice President for Finance and Administrative Services and Public Notary, administered the *Oath of Office* to returning Board members Jada C. Hunter and Terry R. Sammons, and to Eileen Aranas, new Student Representative to the Board of Governors. Ms. Aranas resides at Warfield, Kentucky, and is enrolled in the University Transfer Program at Southern's Williamson Campus. She succeeds Adam Bradford.
- 3. Introduction of New Vice President for Academic Affairs and Student Services:**  
Dr. Harry M. Langley joined Southern's family on July 16, 2012. Dr. Langley was the Associate Provost for Student Retention and Associate Vice President for Academic Affairs at California University of Pennsylvania. He has been employed at California University for 21 years. For the past 16 years Dr. Langley has served as the management representative to the Faculty Professional Development Council within the Pennsylvania State System of Higher Education. He holds a B. S. in Biology, an M.S. in Entomology, and a Ph.D. in Zoology.
- 4. Report on HLC Accreditation Self-Study – Merle Dempsey and Steven Lacek**  
Dr. Merle Dempsey, Self-Study Co-coordinator and Higher Learning Commission (HLC) Liaison, updated Board members on the progress of Southern's 2013 accreditation reaffirmation. He informed the group that the Self-Study website, which may be accessed from the College's main web page, is the primary means of communication for the Self-Study. On-site meetings of the Self-Study Steering Committee and Subcommittees are on track, and the first full draft of the Self-Study Report is ready for institution-wide review. The draft report is a work in progress and will be revised several times before it is finalized. The final self-study report will be submitted to the Higher Learning Commission in February 2013, and the College will host a team of HLC consultants who will conduct a comprehensive reaccreditation visit April 22-24, 2013. Dr. Dempsey requested that members of the Board reserve these dates on their calendars as the visiting team will want to meet with them. He informed Board members that we received notification from the Higher Learning Commission that Southern has been approved to offer online courses and programs. The current institutional governance committee structure was used to develop the Self-Study Committee structure. Dr. Dempsey stated that he appreciates the time and service everyone has devoted to the Self-Study Steering Committee.

Mr. Steven Lacek, Self-Study Co-coordinator and Transitional Studies Department Chair, provided for the Board's information the new Criteria for Accreditation adopted by the HLC Board of Trustees on February 24, 2012 (begins on page 43 of the Board's Agenda Book). Mr. Lacek proceeded with a PowerPoint Presentation to update the Board on what has been completed to date, work which is in progress, the time frame for completion of the Self-Study Report and submission to the HLC. He provided an overview of the Criteria for Accreditation and discussed the Board's role in the accreditation process.

**5. President's Report:**

1. President Tomblin informed Board members that she had received official notification from the Higher Learning Commission the members of the Evaluation Team who will conduct the accreditation visit at Southern. She announced the evaluation team membership and their institutions.
2. July 1, 2011 began a new cycle for the accumulation of Board training hours. By June 30, 2013, governing board members will be required to obtain an additional six (6) training and development hours. Southern will sponsor six hours of training and development opportunities for its Board members during Fall 2012. Two training hours have been approved for the September 7 presentation by Greg Hodges, and four hours has been approved for his October 12 presentation at the Board Retreat. The Council for Community and Technical College Education also provides sponsors training and development opportunities each year. With the exception of the student member of the governing board, each board member must complete at least six hours of training and development within every two years of service. If a board member does not complete the required training and development, the member will be disqualified from continued service as a board member and the Governor will appoint a replacement.
3. Phase II of the Vision 2020 Major Gifts Campaign began in January of 2010 with a 2015 goal of 15 million dollars. To date the campaign has raised \$12,961,554. Of this amount, \$213,722.01 has been contributed by employees of Southern West Virginia Community and Technical College. The overwhelming success of the campaign and accomplishments of the College have established Southern as a model community and technical college in West Virginia.
4. As Merle Dempsey stated earlier, the Request for Change has been approved by the Higher Learning Commission. President Tomblin thanked Dr. Dempsey and Ms. Carol Howerton for their work on the Request for Change.
5. Board of Governors and Administrative Evaluation surveys are due by August 30. Mr. Howard Seufer will provide survey results at the October Retreat.
6. Southern is collaborating with Mountwest, New River and Bridgemont Community and Technical Colleges on a Department of Labor Veterans Outreach grant to hire a Veterans Coordinator.
7. Southern's Boone/Lincoln Campus in conjunction with the Boone Career and Technical Center and the Boone Honors Academy shared an Open House on August 14. There was a large turnout and the group has already begun plans to hold an annual event - "Education Celebration."

8. The grand opening and ribbon cutting ceremony for Southern's McDowell County Office is scheduled for September 12<sup>th</sup>.
  9. The Cosmetology Lab at the Logan Campus and Veterans Lounge at the Williamson Campus have been remodeled.
  10. On August 23, 2012, Southern West Virginia Community and Technical College, West Virginia University, and members of the Shanxi Provincial People's Government of China will hold an official signing ceremony to promote collaboration in safe mining and mine rescue practices between the State of West Virginia and the Shanxi Province at the Governors Mansion. President Tomblin invited Board members to participate in the ceremony.
  11. On September 23, 2012, a group of mining officials from the Shanxi Province will be trained at Southern's Academy for Mine Training and Energy Technologies to assist them with improving their efficiency, safety, and mine rescue practices. Since Southern is in the application process to accept international students, the group will enroll through West Virginia University and the University will contract with Southern to provide the training.
  12. On July 31, President Tomblin, Samuel Litteral, and Harry Langley joined the Student Government Associations for lunch during their annual meeting on the Logan Campus. Campus meetings will be held with each Student Government Association in the fall.
  13. President Tomblin, Dr. Dempsey, and the Vice Presidents will hold a forum to receive comments and suggestions from all classified and non-classified employees on the draft Self-Study Report during All Governance Day on September 7, 2012. Since Greg Hodges, Dean for Developmental Education and Transitional Programs at Patrick Henry Community College is holding a special afternoon *Achieving the Dream* session with all full-time faculty on Governance Day, a forum will be held on November 30 with the faculty to receive their comments and suggestions on the draft Self-Study Report.
- 6. Financial Report**
1. Vice President for Finance and Administration, Sam Litteral, provided the financial report dated June 30, 2012 to Board members. The report was on a cash basis with no accrual accounting. He reviewed restricted, unrestricted, and auxiliary revenues and expenditures. Mr. Litteral stated that due to the March 15, 2012-flood, Southern encountered expenditures that were not anticipated. The annual financial audit is scheduled for September 17.
- 7. Action Items:**
- 7.1 **Approval of June 19 and July 26, 2012, Board Meeting Minutes**  
**MOTION:** Shelley Huffman moved to accept the meeting minutes as presented.  
  
**ACTION:** Jada Hunter seconded the motion. The motion carried unanimously.

**7.2 Approval of Textbook Affordability Committee Report**

**MOTION:** Terry Sammons moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors approve the report provided by the Textbook Affordability Committee for presentation to the Chancellor of the West Virginia Council for Community and Technical College Education as required by Title 135, Series 51, Bookstores and Textbooks, Section 3.1.f.

**ACTION:** Jada Hunter seconded the motion. The motion carried unanimously.

**7.3 Request for Termination of Certificate in Paramedic Science**

**MOTION:** Terry Sammons moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors approve termination of the Paramedic Science Certificate program.

**ACTION:** Jada Hunter seconded the motion. The motion carried unanimously.

**7.4 Request for Termination of Certificate in Fire Science**

**MOTION:** George Kostas moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors approve termination of the Fire Science Certificate program.

**ACTION:** Linda Akers seconded the motion. The motion carried unanimously.

**7.5 Approval of Policies for 30-day Public Comment Period:**

**1. SCP-1435, Inclement Weather and Emergency Situation Policy**

**MOTION:** Jada Hunter moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-1435, *Inclement Weather and Emergency Situation Policy*, and SCP-1435.A, *Media Notification List*, to Southern's constituencies and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**ACTION:** Terry Sammons seconded the motion. The motion carried unanimously.

**2. SCP-2156, Drug and Alcohol Policy**

**MOTION:** Linda Akers moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-2156, *Drug and*

*Alcohol Policy*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**ACTION:** Glenn Yost seconded the motion. The motion carried unanimously.

**3. SCP-2360, Holidays**

**MOTION:** George Kostas moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-2360, *Holidays*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**ACTION:** Jada Hunter seconded the motion. The motion carried unanimously.

**8. Discussion Item:**

**8.1. Review of 2007-2008 Board of Governors Goals for possible revision based upon new Consortium Compact**

President Tomblin requested that Board members review the list of Board Goals provided in the agenda book prior to the next Board meeting scheduled for October 11. The Board goals will be included on the October agenda as a discussion item for possible revision or development of new goals.

**9. Informational Items:**

**9.1 Certification of Classified Employees Salary Schedule Full Funding**

President Tomblin received official notification from Chancellor Jim Skidmore that Southern West Virginia Community and Technical College has reached full funding of the Classified Employees Salary Schedule established by West Virginia Code §18B-9-3.

**9.2 Higher Learning Commission Criteria Book**

Mr. Steven Lacek provided Board members with a copy of the New Criteria for Accreditation that was adopted by the Higher Learning Commission Board of Trustees on February 24, 2012.

**9.3 Institutional Rule Making Report**

Board members were provided a copy of the Institutional Rulemaking Report submitted to the Chancellor for Community and Technical College Education. Pursuant to the requirements of West Virginia Code §18B-1-6, annually a list of institutional rules that are effective on July 1, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors must be submitted to the Council for Community and Technical College Education.

**10. Executive Session Under Authority of West Virginia Code §6-9A-4-9**

Vice Chair Wilma Zigmund asked that President Tomblin, Samuel Litteral, William Cook, and Emma Baisden remain for Executive Session. Glenn Yost moved that the Board of Governors enter an Executive Session pursuant to West Virginia Code §6-9A-4-9. Jada Hunter seconded the motion that carried unanimously, and the Board then met in an

Executive Session. At the conclusion of discussions, Linda Akers moved and Debbie Dingess seconded the motion that the Board of Governors rise from Executive Session and convene in Open Session.

**Further Action:**

Based upon discussions in the Executive Session, the Board reconvened in an open session and the following action was taken:

**1. Approval to Pursue Opportunity Provided by the Boone County Commission**

**MOTION:** George Morrison moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors authorize the Southern West Virginia Community and Technical College President, Vice President for Finance and Administration, and Director of Boone/Lincoln Campus Operations, to pursue the opportunity to meet with the Boone County Commission regarding the possibility of purchasing 11.7 acres of land near the Boone County Transfer Station just off of U. S. 119. Once a price has been determined, bring this item before the Board of Governors for consideration of approval to purchase.

**ACTION:** Terry Sammons seconded the motion. The motion carried unanimously.

**11. Adjournment:**

There being no further business, Vice Chair Zigmond declared the meeting adjourned at 8:10 p.m. The next Board meeting is scheduled for October 11, 2012 and will be held at The Resort at Glades Springs in Daniels, West Virginia.

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Wilma J. Zigmond, Vice Chair

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Emma L. Baisden  
Executive Assistant to the Board of Governors

DRAFT

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF OCTOBER 11, 2012**

**ITEM:** Request for final approval of SCP-1435, *Incident Weather and Emergency Situations*, and SCP-1435.A, *Media Notification List*

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant final approval of SCP-1435, *Incident Weather and Emergency Situations*, and SCP-1435.A, *Media Notification List*, following the required 30-day public comment period.

**STAFF MEMBER:** Samuel Litteral

**BACKGROUND:**

The Vice President for Academic Affairs and Student Services, the Academic Deans, the Directors of Campus Operations, and the Director of Media reviewed SCP-1435, *Incident Weather and Emergency Situations*, and SCP-1435.A, *Media Notification List*. Revisions to the policy and its attachment reflect no substantial changes in procedure or documentation requirements. Revisions reflect changes in title and management responsibility.

At its August 21, 2012 meeting, the Southern West Virginia Community and Technical College Board of Governors granted approval for advancement of this policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period which ended September 21, 2012. No comments were received at the end of the comment period. Therefore, the staff recommends the policy as presented to the Board of Governors for consideration for final approval.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1435**

**SUBJECT:** Inclement Weather and Emergency Situations

**REFERENCE:** None

**ORIGINATION:** October 1994

**EFFECTIVE:** October 11, 2012

**REVIEWED:** August 2012

**SECTION 1. PURPOSE**

- 1.1 To establish policy and procedures for the cancellation of classes or closure of facilities due to inclement weather or emergency situations for Southern West Virginia Community and Technical College.

**SECTION 2. SCOPE AND APPLICABILITY**

- 2.1 The issuance applies to all classes, facilities, and central administrative units of Southern West Virginia Community and Technical College.

**SECTION 3. DEFINITIONS**

- 3.1 Class Cancellation — Classes are canceled. However, the College is open for business.
- 3.2 Eligible Employee — Those employees defined by Title 135, Procedural Rule, West Virginia Council for Community and Technical College Education, Series 38, *Employee Leave*, deemed eligible to receive annual and/or sick leave.
- 3.3 Emergency — Adverse weather and/or road conditions, floods, extreme heat or cold with utilities turned off for extended periods of time or if local or state public safety officials declare a state of emergency.
- 3.4 Employee — Faculty, including adjunct, classified staff, and non-classified staff.
- 3.5 College Facility Closure — The College, or one or more campuses or facilities, will be closed for business for the entire day.
- 3.6 Off-Campus Instructional Facility — Locations, not operated by Southern, at which classes are held (i.e., public libraries, high schools, community facilities, vocational schools, etc.).
- 3.7 Adjusted Operating Hours — The College will open for business or classes will begin later than the normal hours of operation or the College will close or classes will be canceled before the end of the regularly scheduled day. Normal hours of operation are from 8:00 a.m. to 9:00 p.m.

## SECTION 4. POLICY

- 4.1 Policy Responsibility — It is the intent of Southern West Virginia Community and Technical College to close facilities or cancel classes only in extreme emergency situations. Closure may be for the entire institution, one or more campus locations, or for a single facility. The Directors of Campus Operations will monitor travel conditions and will contact the Vice President for Academic Affairs and Student Services to discuss the weather situation. Once a decision is made, the Vice President for Academic Affairs and Student Services is responsible for overseeing and carrying out procedures related to the cancellation of classes and/or closure of facilities.
- 4.1.1 The Vice President for Academic Affairs and Student Services will then contact the Director of Media and inform the individual of the decision to cancel classes and the locations affected. The Director of Media will update the weather line, web site, and contact local media to expedite information to the public.
- 4.2 Campus Responsibility — When these situations occur, the Vice President for Academic Affairs and Student Services, in consultation with the Academic Deans, will determine if it will be necessary to cancel or adjust classes, and/or operating hours (Adjusted Operating Hours) or close a facility (College Facility Closure). When these situations occur, students, employees, and the general public are encouraged to call the College's weather line, visit the web site or listen/watch news media in the county at which their classes/events/meetings are held for cancellation or closure information.
- 4.3 Facility Closure — In the event that facilities are closed, employees of the College do not need to report to work until the facility is reopened. Annual leave must be used per Section 7.2 of this policy. Additionally, public meetings/events/activities scheduled at the facility will be canceled.
- 4.4 Adjusted Operating Hours — In the event hours of operation are adjusted, facilities will remain open for all employees to report to work. Employees are encouraged to use discretionary judgment in their decision to report. Those not reporting must take annual leave. Additionally, public meetings/events/activities scheduled during affected hours will be rescheduled. College employee(s) responsible for scheduling the event must contact the parties affected.
- 4.5 Class Cancellation — In the event classes are canceled, faculty not reporting are expected to submit written plans to their Department Chair for making up lost instructional time per Section 7.1 of this policy. Public meetings/events/activities scheduled during hours affected may or may not be rescheduled. College employee(s) responsible for scheduling the event must contact the parties affected.
- 4.6 Shared Facility — The Boone/Lincoln Campus and the Boone Career and Technical Center are considered separate facilities for the purposes of this policy. The Lincoln Site and the Lincoln County High School are considered separate facilities for the purposes of this policy. Southern classes scheduled in the Boone Career and Technical Center facility are canceled if the Center is closed by the Boone County Board of Education. Southern classes scheduled in the Lincoln County High School wing are canceled if the High School is closed by the Lincoln County Board of Education. Classes scheduled at the Boone/Lincoln Campus and/or Lincoln Site facility may/may not be affected. Persons are asked to listen or watch local news media, call the weather line or visit the web site for details.
- 4.7 Off Campus Facility Closure — In the event that an off-campus instructional facility (i.e. high school or vocational school building) is closed, Southern's classes in that facility will not be held. The faculty member is required to submit written plans to their Department Chair for making up lost instructional time per Section 7.1 of this policy.

## **SECTION 5. BACKGROUND OR EXCLUSIONS**

5.1 None.

## **SECTION 6. GENERAL PROVISIONS**

6.1 None.

## **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

- 7.1 Loss of Instructional Time — If cancellations or closures cause the loss of instructional time, faculty members have the responsibility for making up instructional time lost. Faculty are to notify their respective ~~Division~~ Department Chair in writing as to when and how instructional time will be made up.
- 7.2 Employee Absences — Absences from work by eligible employees due to cancellations or closures called in accordance with this policy, other than a declared emergency by public safety officials, must be charged against accumulated annual leave. Sick leave may not be charged for absences under this policy. In the event that one campus is closed, employees with approval of their supervisors, may be permitted to work at another location.
- 7.3 Employee Absence Under Declared State of Emergency — In the event that public safety officials declare a state of emergency, work hours missed during the declared emergency shall be considered regular work time for pay purposes. This time will not be charged to annual leave, nor will there be a requirement that the time be made up. Should any employee be required to work by the president or his/her designee during declared emergency, the time worked shall be compensated according to provisions of Title 135, Procedural Rule, West Virginia Council for Community and Technical College Education, Series 38, Employee Leave.
- 7.4 Policy Posting — The Directors of Campus Operations must post information at prominent locations regarding emergency closing and cancellations. Whenever possible, messages regarding adjusted hours, closing, and reopening of facilities will be placed on campus telephone systems.
- 7.5 Student Notification — Faculty are to provide this policy information (SCP-1435.A, Media Notification List) to students at the beginning of each semester. Additionally, the information will be published in the College Catalog.

## **SECTION 8. CANCELLATION**

- 8.1 Replaces SCI 1370, “Inclement Weather and Emergency Situation” policy dated December 12, 1996.  
Replaces SCI 1435, “Inclement Weather and Emergency Situation” policy dated October 1994.

## **SECTION 9. REVIEW STATEMENT**

- 9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President’s designee. Upon such review, the President or President’s designee may recommend to the Board that the policy be amended or repealed.

**SECTION 10. SIGNATURES**

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**Board of Governors Chair**                      **Date**

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**President**    **Date**

**Attachments:**        SCP-1435.A, Media Notification List

**Distribution:**        Board of Governors (12 members)  
                              www.southernwv.edu

**Revision Notes:**    February 2008 - Revisions reflect changes in procedure requirements. Revisions provide clarity and reflect changes in management responsibilities.

                              August 2012 - Revisions reflect changes in titles and management responsibilities.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1435.A**

**SUBJECT:** Media Notification List

**REFERENCE:** SCP-1435, *Inclement Weather and Emergency Situations*

**SECTION 1. PURPOSE**

1.1 Cancellation or closures may affect only one building, campus, facility, off-campus facility, or the entire institution. Media will be requested to specifically announce the affected location/facility. The following news media will be contacted to announce information on closures or cancellations in affected areas:

<b><i>Boone and Lincoln Counties:</i></b>	WZAC 1450 (AM) 92.5 (FM)	Madison
	WVAF 99.9 (FM)	Charleston
	WQBE 950 (AM) 97.5 (FM)	Charleston
	KICKS 96.1 (FM)	Charleston
	WVFN 88.5 (FM) Public Radio	Charleston
<b><i>Logan County:</i></b>	WVOW 1230 (AM) 101.9 (FM)	Logan
<b><i>Mingo County:</i></b>	WVKM 106.7 (FM)	Matewan
	WBTH 1400 (AM)	Williamson
	WXCC 96.5 (FM)	Williamson
<b><i>Wyoming and McDowell Counties:</i></b>	WPMW 9	Mullens
	WJLS 560 (AM) 99.5 (FM)	Beckley
	WHIS 1440 (AM)	Bluefield
	WHAJ 104 (FM)	Bluefield
	WWYO 970 (AM)	Pineville
	WELC 102.9 (FM)	Welch
	WELC 1150 (AM)	Welch
	WCIR 103.7 (FM)	Beckley
<b><i>Pike County, KY:</i></b>	WPKE 103.1 (FM) 1240 (AM)	Pikeville, KY
	WKLW 94.7 (FM)	Paintsville, KY
	WSIP 98.9 (FM)	Paintsville, KY
	WDHR 93.1 (FM)	Pikeville, KY
<b><i>Wayne County:</i></b>	WFGH 90.7 (FM)	Fort Gay

The following television stations will be contacted with cancellation or closure information:

WCHS-TV (Ch. 8-ABC)	Charleston
WOWK-TV (Ch. 13-CBS)	Huntington
WSAZ-TV (Ch. 3-NBC)	Huntington
WVVA-TV (Ch. 6-NBC)	Bluefield

*Revised August 2012*

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF OCTOBER 11, 2012**

**ITEM:** Request for final approval of SCP-2156, *Drug and Alcohol Policy*.

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant final approval of SCP-2156, *Drug and Alcohol Policy*, following the required 30-day public comment period.

**STAFF MEMBER:** Samuel Litteral

**BACKGROUND:**

In July 2012, the Finance and Administration Unit personnel reviewed SCP-2156, *Drug and Alcohol Policy*, and proposed minor modifications to provide clarity. Revisions to the policy reflect no substantial changes in procedure or documentation requirements.

At its August 21, 2012 meeting the Southern West Virginia Community and Technical College Board of Governors granted approval for the advancement of this policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period which ended September 21, 2012. No comments were received at the end of the comment period. Therefore, the staff recommends the policy as presented to the Board of Governors for consideration for final approval.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-2156**

**SUBJECT:** Drug and Alcohol Policy

**REFERENCE:** This policy is written to meet requirements of the Anti-Drug Abuse Act of 1988, the Drug Free Workplace Act of 1988, and in compliance with requirements of the 1989 amendments to the *Drug-Free Schools and Communities Act*, as articulated in the *Education Department General Administrative Regulations (EDGAR) Part 86* (the Drug-Free Schools and Campuses Regulations). Part 86 pertains to “Drug and Alcohol Abuse Prevention.” These regulations can be reviewed in the Federal Register, Vol. 55, No. 159, Aug. 16, 1990, pp. 33580-33601, or online at <http://ecfr.gpoaccess.gov/cgi>.

**ORIGINATION:** March 31, 1989

**EFFECTIVE:** October 11, 2012

**REVIEWED:** July 26, 2012

**SECTION 1. PURPOSE**

1.1 Southern West Virginia Community and Technical College recognizes the importance of a safe, efficient and healthy work and educational environment. Being under the influence of any illegal drug or alcohol on campus or at college-sponsored functions poses serious risks to a person’s health and safety, and jeopardizes public trust that has been placed in the institution. In recognition of the serious effects of alcohol and drug abuse on the safety and performance of students and employees, this policy provides standards of conduct and clearly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities. This policy certifies that as an employer who contracts and receives funding from federal agencies, Southern West Virginia Community and Technical College will meet requirements of the law for providing a “drug-free workplace.”

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 Southern recognizes its employees and students as being adults and expects them to obey the law and to take personal responsibility for their conduct. This policy applies to the college community, including faculty, staff, administrators, students, and visitors to the campuses, including contractors, subcontractor, volunteers and service providers.

**SECTION 3. DEFINITIONS**

3.1 Illegal drugs — Controlled substances defined by any state or federal regulatory body authorized to designate substances as such.

3.2 Conviction — A finding of guilt, (including a plea or nolo contender) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

- 3.3 Contractor — Any department, division, unit, or any person responsible for the performance of work under a contract.

#### **SECTION 4. POLICY**

- 4.1 Southern West Virginia Community and Technical College will maintain a workplace free of the illegal use of drugs. The unlawful manufacture, distribution, sale, dispensing, possession, or use of illegal drugs, the abuse or improper use of prescribed drugs, and the use of alcohol on Southern West Virginia Community and Technical College property or as a part of any college-sponsored function is prohibited. Reporting to work, class, or any college-sponsored function under the influence of alcohol or illegal drugs is prohibited.
- 4.2 Legally prescribed medications taken properly are excluded from prohibition and permitted only to the extent that such medications do not adversely affect a person's work ability, job performance, or the safety of others.
- 4.3 Any person who violates the policy shall be subject to disciplinary action. When reasonable suspicion exists that an independent contractor, volunteer, or an employee has reported to work under the influence of alcohol, illegal drugs, or is impaired due to abuse or misuse of controlled substances or prescribed medications, the individual may be subject to assessment and disciplinary action, or termination of the service agreement. The College will impose disciplinary sanctions on students and employees consistent with institutional policies, and local, state, or federal laws for violation of the standards of conduct outlined above. All persons should be aware that violations could result in expulsion from school, termination of employment, or referral for prosecution. Sanctions may include, but are not limited to a requirement that the person participate in a drug abuse assistance or rehabilitation program. College sanctions will be imposed consistent with procedures used in disciplinary actions for students and employees.

#### **SECTION 5. BACKGROUND OR EXCLUSIONS**

- 5.1 None.

#### **SECTION 6. GENERAL PROVISIONS**

- 6.1 Criminal Sanctions:
- 6.1.1 Federal Trafficking Penalties include substantial fines and imprisonment up to life. For the most recent and complete Federal Trafficking Penalties information, visit the Web site of the U. S. Drug Enforcement Administration at <http://www.justice.gov/dea/agency/penalties.htm>.
- 6.1.2 West Virginia Law provides penalties dependent upon the classification of the controlled substance, the particular activity involved, and whether multiple convictions are involved. West Virginia Code §60A-4-401 contains penalties for prohibited acts involving scheduled substances. For the most recent and complete West Virginia penalties for prohibited acts involving controlled substances, visit the Web site of the West Virginia Legislature at <http://www.legis.state.wv.us/WVCODE/>
- 6.2 Dangers of Drug Abuse in the Workplace and Health Risks:
- 6.2.1 Substance abuse and drug dependency are problems of staggering proportions in our society today. They are the leading causes of preventable illness, disability, and death in the United States. Alcohol/chemical dependency is a disease that affects not only individuals, but every component of the family system, workplace, and the community. Chemical abuse not only includes alcohol and illegal drugs, but also prescription drugs such as tranquilizers, pain killers, sleeping pills, etc.

6.2.2 Drug Abuse in the Workplace: The law requires the institution to make employees aware of the danger of drugs in the workplace.

6.2.2.1 Drugs can make an individual feel able to handle tasks that are too much or too dangerous for him/her. They make one careless and likely to forget important safety steps. They may alter one's sense of time, space, and distance which may result in increased occurrence of accidents at work.

6.2.2.2 Drugs can cause lateness and absenteeism, increasing the workload of others.

6.2.2.3 Drugs can cause crime on the job, including theft of employees personal belongings.

6.2.2.4 Drugs can cause major error in the work performed, risking harm to our students, customers, and in violation of the public trust.

6.2.3 Individual Health Risks:

6.2.3.1 Alcoholism and other drug dependencies are diseases with identifiable symptoms. These symptoms include changes in alcohol/drug tolerance, blackouts (permanent, chemically induced memory loss), denial (refusal to admit that chemical use is a problem), mood swings, behavior changes, and loss of control (inability to stop and/or limit chemical consumption). The disease injures the person economically, socially, physically, psychologically, and spiritually; relationships break down, work performance is impaired, depression often occurs, and behavior often goes against values.

6.2.3.2 Persons who suffer from chemical dependency are victims of a progressive, fatal disease. Alcoholism/addiction affects people of all ages, economic levels, and races. The National Institute on Drug Abuse reports that 97 percent of chemically-dependent people have responsible jobs, a home, and a family.

6.2.3.3 Alcoholism is a disorder that has profound psychological and biological patterns:

6.2.3.3.1 Regular daily intoxication,

6.2.3.3.2 Drinking large amounts of alcohol at specific times, and

6.2.3.3.3 Periods of sobriety interspersed with periods of heavy daily drinking.

6.2.3.3.4 The course of the disorder is usually progressive and physical dependence can develop. If this happens, serious symptoms, sometimes life threatening, can develop when alcohol is withdrawn.

6.2.3.3.5 Short term effects of alcohol use can include depression, gastritis, liver disease, automobile accidents, and domestic violence.

6.2.3.3.6 Chronic alcohol abuse can produce irreversible changes, including dementia, sexual impotence, cirrhosis of the liver, and heart disease.

6.2.3.3.7 Death can occur either as a complication of one of these chronic problems, or acutely, secondary to alcohol intoxication by poisoning or aspiration of vomits, or as the result of an automobile accident while driving intoxicated.

#### 6.2.3.4 Impact on Family/Friends

- 6.2.3.4.1 Families are gravely affected by a chemical abusing member. Some of the effects on the family include: feelings of insecurity, guilt, fear, isolation, anger, and resentment. As the chemically dependent person's disease progresses, the effects on the family worsen. As a very direct, physiological consequence, the infants of alcohol and cocaine abusing mothers often have low birth weight and may suffer from malformations and a variety of developmental problems. Children are often the most vulnerable to the effects of chemical dependency. Growing up in families where their developmental needs do not get met, children may face a variety of problems; low self-esteem, inability to trust others, teenage pregnancy, and high risks for chemical use/abuse, dependency.
- 6.2.3.4.2 The lifestyle of the abuser often affects the economic well-being of their families due to their inability to hold down a job. In some cases, the abuser will steal from relatives, which reduces the family's financial means and stability. In many cases, substance abuse leads to violence at home.
- 6.2.3.4.3 Chemical dependency is treatable. With an understanding of the disease and its impact on lives, family members and friends can take steps to help reduce enabling behaviors. Very often, the family's intervention with the user and his or her problem is an essential step which encourages the abusing member to seek treatment. Support groups for family members, such as AI-Anon, as well as family therapy can provide needed assistance to families as they grapple with the destructive effects of the user's addiction.

#### 6.2.4 Counseling and Treatment Resources:

- 6.2.4.1 For students, assistance and information concerning substance abuse and its treatment may be obtained from the counselor's office at each of the College's campuses.
- 6.2.4.2 Employees may obtain assistance and information from the Human Resources Office.
- 6.2.4.3 Southern West Virginia Community and Technical College, in providing any list of counseling, treatment, and rehabilitation programs, is in no way affiliated with these agencies. Southern cannot accept liability for any services, treatment, or counseling provided by these agencies or their employees or any acts of misfeasance, nonfeasance, or malfeasance by same. The individual and his/her parents or guardian should conduct checks or reviews of these agencies to determine if they will meet the needs of the individual.

### **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

- 7.1 Because work sites provide day-to-day supervision for persons at the College, supervisors and unit administrators will be required to assume primary responsibility for the enforcement of this policy and to take appropriate personnel action.

- 7.2 As a condition of employment, College employees agree to abide by the terms of this policy and to notify the Director of Human Resources or designee of any criminal drug or alcohol related conviction for violation of a criminal drug or alcohol statute occurring in the workplace no later than five (5) days after the conviction.
- 7.3 After review of the reported incidents and determination of reporting requirements, the appropriate unit administrator will notify the federal granting agency within ten (10) days after receiving notice of a conviction from an employee or otherwise receiving actual notice of such conviction.
- 7.4 The Director of Human Resources is responsible for development and communication of drug and alcohol prevention programs for employees in compliance with the Drug Free Workplace Act of 1988, which includes:
- 7.4.1 Distribution of this policy to each employee and collection of signed “Drug Awareness Certification Form.” The distribution may be in writing or electronically.
  - 7.4.2 Maintaining a copy of this policy in an accessible location and posting the policy on the institutional web site.
  - 7.4.3 Inclusion of a copy of this policy in every orientation packet for new employees.
- 7.5 The Vice President for Academic Affairs and Student Services or designee is responsible for development and communication of a drug and alcohol awareness program for students, in compliance with the Drug Free Schools and Communities Act, which includes:
- 7.5.1 Annual distribution of this policy or information contained herein, to every student taking one or more classes for credit. The distribution may be accomplished by publication of this policy in electronic or printed format in the Student Handbook Section of the College Catalog, the Student Planning Calendar, and/or the Schedule of Classes.
  - 7.5.2 A biennial review of the program’s effectiveness and the consistency of the enforcement of sanctions. The Department of Education recommends that the biennial review be conducted in even-numbered years, focusing on the two preceding academic years. Records used for review and report preparation will be retained for a period of three years after the fiscal year in which the record was created. If any litigation, claim, negotiation, audit, review, or other action involving the records has been started before expiration of the three-year period, the records will be retained until completion of the action and resolution of all issues that arise from it, or until the end of the regular three year period, whichever is later.
  - 7.5.3 The ~~Chief Financial Officer~~ Vice President for Finance and Administration or designee is responsible for ensuring that contractors, subcontractors, or volunteers for services paid by federal grants certify that they maintain a drug free workplace and that they commit to and comply with the terms and conditions of this policy.

## **SECTION 8. CANCELLATION**

- 8.1 None.

## **SECTION 9. REVIEW STATEMENT**

- 9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President’s designee. Upon such review, the President or President’s designee may recommend to the Board that the policy be amended or repealed.

**SECTION 10. SIGNATURES**

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**Board of Governors Chair**

**Date**

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**President**

**Date**

**Attachments:** SCP-2156.A, *Employee Drug Awareness Certification Form*

**Distribution:** Board of Governors (12 members)  
[www.southernwv.edu](http://www.southernwv.edu)

**Revision Notes:** January and July 2007 — Policy revised to comply with federal regulations requiring inclusion of specifics on criminal sanctions and health risks. Other minor changes for clarity were also made.

July 2012 — Policy was reviewed for accuracy and minor modifications were made. Policy was reformatted and revisions reflect changes in position titles and web links.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-2156.A**

**EMPLOYEE DRUG AWARENESS  
CERTIFICATION FORM**

I, \_\_\_\_\_, certify that I have received a copy of SCP-2156, *Drug and Alcohol Policy*.

I agree to abide by the terms of this policy and I am aware that with any violation of this policy, I will be subject to disciplinary action, up to and including dismissal. I may also be required to participate in a drug-abuse assistance or drug-rehabilitation program.

In addition, I understand that under federal law and as a condition of employment, if I am convicted of any drug or alcohol related criminal offense for a violation occurring in the workplace, I must report this conviction to the Director of Human Resources within five days of the conviction.

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**RETURN THIS FORM TO HUMAN RESOURCES**

*Revised August 2012*

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF OCTOBER 11, 2012**

**ITEM:** Request for final approval of SCP-2360, *Holidays*

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant final approval of SCP-2360, *Holidays*, following the required 30-day public comment period.

**STAFF MEMBER:** Sam Litteral

**BACKGROUND:**

The Finance and Administration Unit personnel reviewed SCP-2360, *Holidays*, and proposed one substantive change. The policy was modified to reflect that an election day which falls on a non-work day when the institution is closed will not be designated as a holiday for Southern.

At its August 21, 2012 meeting the Southern West Virginia Community and Technical College Board of Governors granted approval for the advancement of this policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period which ended September 21, 2012. Comments received were restricted to grammatical and technical corrections. These corrections do not change the content of the document and do not require resubmitting the instrument for additional public comment. Therefore, the staff recommends the policy as presented to the Board of Governors for consideration for final approval.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-2360**

**SUBJECT:** Holidays

**REFERENCE:** West Virginia Code §2-2-1. Legal Holidays; 135CSR14 (Title 135, Procedural Rule, West Virginia Council for Community and Technical College Education, Series 14, Holidays)

**ORIGINATION:** January 31, 2003

**EFFECTIVE:** October 11, 2012

**REVIEWED:** July 2012

**SECTION 1. PURPOSE**

1.1 The purpose of this policy is to determine holidays that will be observed by the employees of Southern West Virginia Community and Technical College.

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This policy is limited in scope and applicable to the employees of Southern West Virginia Community and Technical College.

**SECTION 3. DEFINITIONS**

3.1 None.

**SECTION 4. POLICY**

4.1 It is the policy of Southern West Virginia Community and Technical College to afford its employees appropriate opportunities for holiday observances in accordance with West Virginia Council for Community and Technical College Education requirements.

**SECTION 5. BACKGROUND OR EXCLUSIONS**

5.1 None.

**SECTION 6. GENERAL PROVISIONS**

6.1 Full Holidays – In accordance with the West Virginia Council for Community and Technical College Education requirements, the number of holidays shall be twelve, plus additional days for any statewide, primary or general election.

6.1.1 Designated Holidays – Six designated holidays — New Year’s Day, Martin Luther King, Jr.’s Birthday, Independence Day, Labor Day, Thanksgiving Day and Christmas Day — shall be observed by the employees of Southern West Virginia Community and Technical College in accordance with the West Virginia Council for Community and Technical College Education requirements.

6.1.2 Alternate Schedule Holidays – Six holidays — Lincoln’s Birthday, President’s Day, Memorial Day, West Virginia Day, Columbus Day, and Veterans’ Day — may be scheduled by the President on alternate dates from the date on which the holiday occurs.

6.2 Elections Holidays – Any scheduled work day on which a general, primary or special election is held is a holiday and shall be considered an alternate schedule holiday by the institution. Elections held on days the College is closed will not be designated as a holiday.

6.3 Additional Holidays Proclaimed by a Duly Constituted Authority – All holidays proclaimed by the President of the United States, the Governor of the State of West Virginia or other duly constituted authority shall be observed by the employees of Southern West Virginia Community and Technical College. However, the President may designate alternative dates that such additional holidays are to be observed if the operational needs of the institution require such an adjustment.

6.4 Half-Holidays – One-half day preceding Christmas or New Year’s Day shall be designated and observed as a holiday by the employees of Southern West Virginia Community and Technical College when either such holiday falls on a Tuesday, Wednesday, Thursday, or Friday.

6.5 Reporting and Publication – The President shall submit a holiday schedule to the Chancellor prior to June 30 of each year. The President shall post a list of holidays to be observed in the upcoming fiscal year at appropriate campus locations and shall cause further publication of the holiday schedule as is deemed appropriate.

**SECTION 7. RESPONSIBILITIES AND PROCEDURES**

7.1 The President shall cause the terms of this policy to be observed.

**SECTION 8. CANCELLATION**

8.1 None.

**SECTION 9. REVIEW STATEMENT**

9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President’s designee. Upon such review, the President or President’s designee may recommend to the Board that the policy be amended or repealed.

**SECTION 10. SIGNATURES**

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**Board of Governors Chair** **Date**

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**President** **Date**

**Attachments:** None.

**Distribution:** Board of Governors (12 members)  
www.southernwv.edu

**Revision Notes:** March 2008 — Revisions reflect no substantial changes in procedure or documentation requirements. Revisions reflect change in governance to Community and Technical College System. Policy was reformatted.

July 2012 — One revision was made to clarify that election days will be observed as holidays when they fall on a regularly scheduled workday. Elections held on days the College is closed will not be designated as a holiday.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF OCTOBER 11, 2012**

**ITEM:** Request for approval of revisions to:  
SCP-1000, Manuals, Announcements, and Policies  
(MAP) Development System  
SCP-1000.A, Classification Table  
SCP-1000.B, Format for Southern College Policy  
(SCP)  
SCP-1000.C, Format for Southern Administrative  
Announcement (SAA)  
SCP-1000.D, Format for Southern Administrative  
Manuals (SAM's)

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of the aforementioned revised policy (with attachments) to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day comment period.

**STAFF MEMBER:** Joanne Jaeger Tomblin

**BACKGROUND:**

SCP-1000, which establishes the process for adoption, amendment or repeal of rules, guidelines, administrative procedures and policy statements by the Board of Governors of Southern West Virginia Community and Technical College that have an institution-wide effect or affect the rights, privileges, or interests of employees, students, or citizens, was developed in accordance with West Virginia Code §18B-1-6 and Title 135, Procedural Rule, West Virginia Council for Community and Technical College Education, Series 4, *Rules and Administrative Procedures*.

In September 2012, SCP-1000, *Manuals, Announcements, and Policies (MAP) Development System*, and its attachments, were reviewed for accuracy. Minor revisions were made to provide clarity and changes in management. The staff recommends that the Southern West Virginia Community and Technical College Board of Governors advance this policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1000**

**SUBJECT:** Manuals, Announcements and Policies (MAP) Development System

**REFERENCE:** West Virginia Code §18B-1-6(c)(3)  
Title 135, Procedural Rule, West Virginia Council for Community and Technical College  
Education, Series 4, Rules and Administrative Procedures

**ORIGINATION:** April 6, 1999

**EFFECTIVE:** June 24, 2002

**REVIEWED:** ~~January 24, 2008~~ September 19, 2012

**SECTION 1. PURPOSE**

1.1 **This policy is established** ~~F~~ to meet the requirements of Title 135, Procedural Rule, West Virginia Council for Community and Technical College Education (the Council), Series 4, Rules and Administrative Procedures.

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This policy establishes the process for adoption, amendment or repeal of rules, guidelines, administrative procedures and policy statements by the Board of Governors (the “Board”) of Southern West Virginia Community and Technical College (the “College”) that have an institution-wide effect or affects the rights, privileges or interests of employees, students or citizens.

**SECTION 3. DEFINITIONS**

3.1 Rule — Any regulation, guideline, directive, standard, statement of policy or interpretation of general application and future effect that also has institution-wide effect or affects the rights, privileges or interests of employees, students or citizens. The following are not rules:

3.1.1 Regulations, guidelines or policies established for individual units, divisions, departments or schools of the institution that deal solely with the internal management or responsibilities of a unit, division, department or school; or

3.1.2 Academic curricular policies that do not constitute a mission change for the institution.

3.2 Administrative Procedure — Any regulation, guideline, directive, standard or statement of policy or interpretation of future effect that does not qualify as a “rule.”

3.3 Issuances — Documents developed and distributed as: official rules, guidelines and policy statements that establish the policies, responsibilities and general procedures governing Southern; or announcements, manuals and other resources that provide information to the Southern community.

- 3.4 Unit — Area of the organization directed by members of the President’s Cabinet, such as the President’s Office, Academic Affairs, Student Services, Finance, Human Resources, Economic Workforce and Community Development, ~~and Technology~~.
- 3.5 Department — Area of the organization directed by a Director/Manager who reports to a member of the President’s Cabinet.
- 3.6 Program — Area of the organization within a department or unit developed to deal with all aspects of a particular function.

**SECTION 4. POLICY**

- 4.1 It is the policy of the College to comply with the mandates of Series 4 of the Rules and Administrative Procedures of the West Virginia Council for Community and Technical College Education (the “Council”). To the extent that the Council should revise Series 4 or promulgate any rule inconsistent with this policy, the Council rule would supersede this policy.
- 4.2 Administrative issuances of general college-wide interest will be documented as part of Southern’s MAP System.
- 4.3 Issuances will be clear, concise and to the point on matters of college-wide effect which:
  - 4.3.1 Establish or define rules, guidelines or policy statements;
  - 4.3.2 Publish program and institutional administrative decisions;
  - 4.3.3 Effect formal delegation of authority;
  - 4.3.4 Assign functional or operational responsibility and establish organizational structure; or
  - 4.3.5 Provide relevant information for college-wide distribution.

**SECTION 5. BACKGROUND OR EXCLUSIONS**

- 5.1 The following types of issuances will be used.
  - 5.1.1 SAA (Southern Administrative Announcement) will be used primarily to disseminate information of a temporary or one-time nature and may be used to announce the provisions of new or revised ~~SHP~~, SEP, SCP, or SAM (Southern Administrative Manual).
  - 5.1.2 SAM (Southern Administrative Manual) will be used when there is a need to issue a large volume of specialized material or procedural information of a continuing nature, or when there is a need to group together a number of administrative issuances in the same subject area for ease of reference and referral.
  - 5.1.3 SCP (Southern College Policy) will be used to publish rules, guidelines and policy statements, which may include delegation of authority, program or institutional administrative decisions, general guidelines or procedures, and other college administrative information with an institution-wide effect.
  - 5.1.4 ~~SHP~~ SEP (Southern ~~Interim~~ Emergency Policy) will be used to publish interim, temporary, or

emergency rules, guidelines and policy statements which shall be effective until an SCP (Southern College Policy) is developed and approved.

5.1.5 SIP (Southern Institutional Procedures) will be used to publish institutional procedures which are narrow in scope and have the potential for impact to a limited unit or department.

5.2 The following are not rules with institution-wide effect and, therefore, are not part of the MAP System and are not subject to the provisions of Title 135, Series 4.

5.2.1 Issuances of individual units, divisions, departments or programs which deal solely with the internal management or responsibilities of a single unit, division, department or program. However, such issuances may be used within Southern for internal instructions or procedures governing unit, department or program operations. The department's cabinet-level administrator will determine signature authority of these issuances. In all cases, such internal issuances will be developed in compliance with the MAP System.

5.2.2 Academic curricular policies that do not constitute a mission change for the institution.

5.2.3 Day-to-day correspondence.

5.2.4 Specific case or transaction documents and their supporting papers.

5.2.5 Specific task/project assignments, operational directives or approved documents.

5.2.6 Technical documentation such as specifications, drawings, maps, part lists, and scientific and technical reports of projects.

5.2.7 Brochures or pamphlets approved by the administration for informational release to the general public.

5.2.8 Periodic advisory or informational material of short-term value.

## **SECTION 6. GENERAL PROVISIONS**

6.1 Any individual, group, program, department or unit recognizing a need for the adoption, amendment, repeal or distribution of an issuance may propose such through the appropriate governance committee or department head in accordance with the provisions of this policy and in compliance with Southern's governance process.

6.2 Any major differences arising during the MAP development process which cannot be resolved will be referred to the President or the President's designee for decision.

6.3 The numbering of Southern's issuances will be consistent with the Classification Table for Southern's MAP System, SCP-1000.A. (Attachment A). Numbering details and general format for issuances are included as Attachments B, C and D.

6.4 Changes to an existing policy must be indicated using the strikethrough appearance for deletions and underline for revisions and/or modifications. These appearance enhancements will be removed after final approval.

6.5 Policies shall be reviewed on a regular basis with a time frame for review of each policy to be determined

by the President or the President's designee. Upon such review the President or the President's designee may recommend that the policy be amended or repealed.

## **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

### 7.1 Generally

- 7.1.1 The cabinet-level administrators and/or their designees are responsible for coordinating with the ~~Executive Vice President~~ President or the President's designee for the development of new or review of existing policies to insure compliance with applicable laws, rules and regulations; to avoid duplication or overlap of existing issuances; and to retain documentation case files of administrative issuances falling within their respective areas of responsibility.
- 7.1.2 The cabinet-level administrators and/or their designees responsible for oversight of an approved policy will establish an internal system for periodic review, revision and/or cancellation. The last review date will be printed on the issuance prior to approval.
- 7.1.3 The President's Office will be responsible for operational management of the MAP System which will include draft, revision or assistance with revision of policies; adherence to format and to good editorial standards; maintenance of master reference files of all issuances; assignment of numbers; preparation of current indices; updates of technical changes (e.g., position titles); and distribution of issuances.

### 7.2 Adoption, Amendment or Repeal of Rules, Guidelines or Policy Statements Subject to the MAP System

- 7.2.1 The procedures set forth in this section (7.2) shall apply to the adoption, amendment or repeal of any rule, guideline or policy statement by the President or the Board with institution-wide effect. These procedures shall not apply to policies, guidelines or directives established for individual units, departments or programs of Southern which deal solely with the internal management or responsibilities of that unit, department or program, or to academic curriculum policies that do not constitute a mission change.
- 7.2.2 Unless otherwise provided in this policy, no rule, guideline or policy statement with institution-wide effect shall be adopted, amended or repealed by the President or the Board without the provisions in this section being met.
- 7.2.3 The President or the Board may, without following the procedures in this section, make editorial, non-substantive changes in rules, guidelines or policy statements transferred to Southern's jurisdiction by the Higher Education Policy Commission or the Council to reflect the effect of the transfer.
- 7.2.4 If the President or the Board determines that a rule, guideline or policy statement should be adopted, amended or repealed concerning a subject matter under the Board's jurisdiction that is not otherwise excluded by this policy, the President or the President's designee shall notify the Chancellor, those persons representing student, faculty and classified employees at Southern, and other interested parties and shall solicit comments and suggestions regarding the determination.

- 7.2.5 Any rule, guideline or policy statement subsequently drafted and considered for adoption will be circulated in draft form by the President or the President's designee to the same parties listed in part four of this section for a period of not less than thirty calendar days with a date noted when comments on the draft are to be returned to the President or the President's designee.
- 7.2.6 If no written comments are received during the comment period, the Board may proceed to adoption, amendment or repeal of the rule, guideline or policy statement. If written comments are received during the comment period, the Board may amend the proposed policy and proceed with adoption or may choose to submit the policy for an additional 30-day comment period.
- 7.2.7 A final draft of the rule, guideline or policy statement shall be sent by the President or the President's designee to the parties listed in part four of this section with an explanation of any changes and a summary of comments received.
- 7.2.8 Except as otherwise provided, the adoption, amendment or repeal of any rule, guideline or policy statement shall not be effective until approved by the Chancellor.
- 7.2.9 In the case of an emergency, the President or the Board may adopt, amend or repeal a rule, guideline or policy statement without first following the procedures set out in this policy.
- 7.2.9.1 For the purpose of this section, an emergency exists when the adoption, amendment or repeal of a rule, guideline or policy statement is necessary for the immediate preservation of the public peace, health, safety or welfare, or is necessary to comply with a time limitation established by state or federal law or regulation or a directive or rule of the Council, or to prevent substantial harm to the public interest, or to deal with a financial exigency.
- 7.2.9.2 The facts constituting an emergency shall be communicated in writing in advance to the Chancellor, who may disapprove the action of the President or the Board if the Chancellor disagrees that an emergency existed.
- 7.2.9.3 Any adoption, amendment or repeal of a rule, guideline or policy statement under the emergency procedure shall remain in effect no longer than three months and shall expire unless the President or the Board has completed final approval under the normal process set out in this section.
- 7.2.10 Upon request by affected constituencies, individuals or parties, the Board may schedule a public hearing regarding adoption, amendment or repeal of a rule, guideline or policy statement.
- 7.2.11 The following locations are designated as the places where all proposed and approved rules, guidelines and policy statements can be accessed by the public at no cost:
- 7.2.11.1 The Human Resources Office;
- 7.2.11.2 The President's Office;
- 7.2.11.3 The offices of each Director of Campus Operations; and
- 7.2.11.4 The library on each campus.

The President or the President’s designee may designate new locations so long as at least one location is designated on each of Southern’s campuses and those locations are made known to the public.

7.2.12 All proposed and approved rules, guidelines and policy statements shall also be posted on Southern’s web site, to the extent technically and financially feasible, as part of the MAP System.

7.2.13 Signature authority for all issuances rests with the President.

**SECTION 8. CANCELLATION**

8.1 SCP-1467.

**SECTION 9. REVIEW STATEMENT**

9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President’s designee. Upon such review, the President or President’s designee may recommend to the Board that the policy be amended or repealed.

**SECTION 10. SIGNATURES**

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**Board of Governors Chair**                      **Date**

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**President**    **Date**

- Attachments:**      Attachment A = SCP-1000.A, Classification Table  
                         Attachment B = SCP-1000.B, Format for Southern College Policy (SCP)  
                         Attachment C = SCP-1000.C, Format for Southern Administrative Announcement (SAA)  
                         Attachment D = SCP-1000.D, Procedures for Southern Administrative Manuals (SAM’s)

- Distribution:**      Board of Governors (12 members)  
                         Office of the President  
\_\_\_\_\_ ~~Office of the Executive Vice President~~  
\_\_\_\_\_ ~~Office of the Vice President for Academic Affairs~~  
\_\_\_\_\_ ~~Office of the Chief Financial Officer~~  
\_\_\_\_\_ ~~Office of the Vice President for Economic, Workforce and Community Development~~  
\_\_\_\_\_ ~~Office of the Vice President for Student Services~~  
\_\_\_\_\_ ~~Office of the Chief Technology Officer~~  
\_\_\_\_\_ ~~Office of the Human Resources Administrator~~  
\_\_\_\_\_ ~~Office of the Academic Division Dean (2 members)~~  
\_\_\_\_\_ ~~Faculty Senate Chair~~  
\_\_\_\_\_ ~~Classified Staff Council Chair~~

~~Libraries (Harless and Williamson Campus)~~

~~Office of the Director of Campus Operations (Boone, Logan, Williamson, Wyoming)~~

~~www.southernwv.edu~~

**Revision Notes:** January 2008 — Revision reflects a change in the policy review cycle. Policy was reformatted into the new policy format.

September 2012 — Reviewed policy for accuracy and made minor revisions to provide clarity and changes in management.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1000.A**

**SUBJECT:** ~~Attachment A~~—Classification Table  
**REFERENCE:** SCP-1000, MAP Development System  
**ORIGINATION:** April 6, 1999  
**EFFECTIVE:** April 6, 1999  
**REVIEWED:** ~~January 24, 2008~~ September 19, 2012

**1000 GENERAL**

Policies related to general administrative issues, such as: MAP Development System, Governance, History, Vision, Mission, Goals, Strategic Planning, Naming Rooms / Buildings, Tobacco Use, Solicitation, Records/Documents, Retention/Security/Control, Weapons/Firearms, Safety, Public Relations, Institutional Publications, Marketing, Fundraising, etc.

**2000 HUMAN RESOURCES**

Policies relating to Human Resource issues and terms or conditions of employment such as: Employee Relations, Employment and Hiring Policies, Benefits, Attendance and Leave, Sabbatical, Professional Development, Performance Appraisal, Hiring Practices, Promotion, Tenure, Discipline, Workloads, Sexual Harassment, AA/EEO, ADA, etc.

**3000 ACADEMIC AFFAIRS**

Policies relating to academic areas regardless of particular division or program, and/or academic services/issues such as: School-to-Work/Tech Prep, Academic Programs, Delivery of Instruction via Interactive/Distance Learning, Libraries, Developmental Education, Institutional and Student Assessment, Accreditation, Academic Freedom, etc

**4000 STUDENT SERVICES**

Policies relating to services provided to/for students, such as: Student Conduct, Activities, Student Government A, Grievances, Grade Appeals, FERPA, Financial Aid, Recruitment, Enrollment Management, Admissions, Records, Counseling, Registration, Career Planning and Placement, etc.

**5000 FINANCE**

Policies relating to financial issues and physical plant, such as: Accounting, Budget Planning, Bookstores, Business Offices, Facilities/Physical Plant, Automotive Usage, Travel, Purchasing, Payables, Food Services, etc.

**6000** ~~ECONOMIC,~~ **WORKFORCE, AND COMMUNITY DEVELOPMENT**

Policies relating to economic, workforce and community development, and external relations, such as: Economic Development, Continuing Education, Small Business Development Center, Workforce Training and Development, etc.

**7000** **TECHNOLOGY SERVICES**

Policies relating to Computer Center/Services, Instructional Technologies, Interactive / Distance Learning Technologies, Educational Media/Television Services, Student Computer Labs, Telephone Services/Equipment, Internet, Web Technology, etc.

**8000** **BOARD OF GOVERNORS**

Policies relating to general operations of Southern West Virginia Community and Technical College: General, Human Resources, Academic Affairs, Student Services, Finance, Economic and Community Development, and Technology Services.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1000.B**

**SUBJECT:** ~~Attachment B~~ = Format for Southern College Policy (SCP)

**REFERENCE:** SCP-1000, MAP Development System

**ORIGINATION:** April 6, 1999

**EFFECTIVE:** April 6, 1999

**REVIEWED:** ~~January 24, 2008~~ September 19, 2012

**SECTION 1. PURPOSE**

1.1 To establish the format and procedures for publication of Southern College Policy (SCP).

**SECTION 2. DEFINITION**

2.1 Southern College Policy (SCP) will be used to publish policy statements, delegation of authority, program or institutional administrative decisions; general guidelines or procedures; and other college administrative information of a continuing nature.

**SECTION 3. NUMBERING**

3.1 The President's Office will assign a number to each college policy. The number will consist of the identifying prefix (SCP), and a four-digit subject classification number. The number will be assigned prior to printing and will be centered immediately under the heading on the first page. Any forms necessary for full understanding of a policy or fulfillment of its requirements shall be included as attachments to the policy and shall contain the policy number followed by a decimal point and a consecutive letter of the alphabet as required.

**SECTION 4. STANDARD FORMAT**

4.1 General

4.1.1 This attachment illustrates the standard layout and paragraphing for all Southern College Policies in this manual. Standard sections within each policy include Purpose; Scope and Applicability; Definitions; Policy; Background or Exclusions; General Provisions; Responsibilities ~~and Procedures~~; Cancellations; Review Statement; Signatures. The first page must use the standard Southern College Policy format. Each subsequent page of a policy will include a footer showing the policy number, policy name, and page number. Policies will use a page size of 8½ x 11 inches, 0.75 inch margins on all sides, Times New Roman font face, and 11 point font size.

## 4.2 Content

- 4.2.1 Southern College Policies must include the following headings. If the heading does not apply, indicate so by inserting “Non applicable” under the heading.

**SUBJECT:** Title of the policy

**REFERENCE:** References will be used only when they improve understanding or when they cite higher directives that require or govern the policy.

**ORIGINATION:** The date the policy originated.

**EFFECTIVE:** The date the policy became effective.

**REVIEWED:** The date the policy was last reviewed.

### **SECTION 1. PURPOSE**

Broad-based description of the primary reason for the policy. Why this policy is written.

### **SECTION 2. SCOPE AND APPLICABILITY**

Departments, people, or items affected.

### **SECTION 3. DEFINITIONS**

Used to give specific meaning to a word, term, or phrase as used in the policy.

### **SECTION 4. POLICY**

Guideline statements for specific subjects. What the policy does. List the specific points.

### **SECTION 5. BACKGROUND OR EXCLUSIONS**

If needed for understanding.

### **SECTION 6. GENERAL PROVISIONS**

Includes information required for clarity that will not fit under other headings.

### **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

Specifies who does what, when, how, and where. Separation of these headings may be necessary for clarity. Reference may be made to the College catalog, employee and/or student manuals or similar documents for specific responsibility or procedures.

### **SECTION 8. CANCELLATION**

Any previous policy being superseded.

### **SECTION 9. REVIEW STATEMENT**

All policies shall be reviewed on a regular basis with a time frame for review to be determined by the President or President’s designee. Upon such review, the President or the President’s designee may recommend that the policy be amended or repealed.

**SECTION 10. SIGNATURES**

Provide the following flush right signature lines four lines below the final paragraph on the last page.

---

**Board of Governors Chair**                      **Date**

---

**President**    **Date**

**SECTION 11. ATTACHMENTS**

Official Summary Sheet(s), Form(s), and “/or example” attachments, etc., when necessary, two lines below last signature line.

**SECTION 12. DISTRIBUTION**

Will be shown in the lower-left corner, two lines below attachments notation.

**SECTION 13. REVISION NOTES**

These notes identify changes made to the policy to better describe or clarify the policy provisions, changes in management responsibilities and/or titles, and to correct grammatical or typographical errors.

4.3 Paragraphing

4.3.1 A legal numbering system will be used for paragraphs. Major paragraph heading will be bold. Headings for subparagraphs will be capitalized and will follow the numbering system below:

**SECTION 1. MAJOR PARAGRAPH**

1.1 First Subparagraph

1.1.1 Second subparagraph

4.4 Margins

4.4.1 Use a margin of 0.75 inches left, right, top, bottom.

4.5 Page Numbering Format

4.5.1 Page numbers must be formatted to show the current page and the total number of pages in the policy. Example format: “Page 2 of 5.” The position of page numbers is within the footer at the right-hand margin of every page.

4.6 Font Face and Size

4.6.1 The font face must be “Times New Roman” and the font size should be 11 points.

## **SECTION 5. CORRECTIONS OR REVISIONS**

### 5.1 Corrections

5.1.1 Corrections will be processed for publication by the President’s Office. “Corrections” differ from “revisions” in that corrections serve to correct policy details, clarify wording, correct titles, department names, etc.; not revise policy intent.

### 5.2 Revisions

5.2.1 Revisions will be made when a substantial change is required and will be assigned the same subject and number as the basic policy. The new date of issue will be used and revisions will be processed in the same manner as the original instruction.

### 5.3 Cancellation

5.3.1 Revised policies will replace and supercede existing policies.

## **SECTION 6. FILING**

6.1 Southern administrative issuances will be filed in accordance with the Classification Table (MAP Development System SCP-1000.A). SCP’s containing the original signature will be maintained in the Human Resources Department.

## **SECTION 7. PROCESSING FOR PUBLICATION**

### 7.1 Recommending Individual, Group, and/or Unit will:

7.1.1 Coordinate proposed issuances with other offices affected by the policy.

7.1.2 Research existing policies to reduce duplication, redundancy, and omissions.

7.1.3 Follow policy format and prepare a printed hard copy for the President’s Office using appropriate word processing software.

### 7.2 The President’s Office will:

7.2.1 Assure proper format and coordination, assign policy numbers, have policy signed, reproduced and distributed.

7.2.2 Maintain and issue a current index of Southern’s administrative issuances.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1000.C**

**SUBJECT:** ~~Attachment C~~—Format for Southern Administrative Announcements (SAA)

**REFERENCE:** SCP-1000, MAP Development System

**ORIGINATION:** April 6, 1999

**EFFECTIVE:** April 6, 1999

**REVIEWED:** ~~January 24, 2008~~ September 19, 2012

**SECTION 1. PURPOSE**

1.1 To establish the format and procedures for publication of Southern Administrative Announcements (SAA).

**SECTION 2. DEFINITION**

2.1 Southern Administrative Announcement (SAA) will be used primarily to disseminate information of a temporary or one-time nature and may be used to announce the provisions of new or revised SEPs, SIPs, SCPs or SAMs.

**SECTION 3. NUMBERING**

3.1 Southern Administrative Announcement numbers will consist of the prefix “SAA” and a four-digit subject classification number. Administrative Announcements will also carry a control number, consisting of consecutive numbers beginning the first of each fiscal year with number 1 (1-9899, 2-9899, etc.). The President’s Office will assign the control number. The number will be assigned prior to printing and will appear in the upper-right-corner of each page of the announcement.

**SECTION 4. EXPIRATION DATE**

4.1 An expiration date will be shown in the appropriate block. Normally, expiration dates will be within six months to one year from date of issue; however, this date can be later depending upon the purpose of the announcement.

**SECTION 5. FORMAT**

5.1 The SAA will be in a memorandum format on Southern letterhead with the phrase “SOUTHERN ADMINISTRATIVE ANNOUNCEMENT” at the top of the page, second and succeeding pages will be on plain bond with a header showing announcement number and date.

## **SECTION 6. CHANGES OR REVISIONS**

- 6.1 When a substantial change to an announcement is required, such information will be issued as a new announcement, with a new expiration date. The new announcement will be assigned a subject title and new number as appropriate.

## **SECTION 7. PROCESSING FOR PUBLICATION**

- 7.1 Southern Administrative Announcements will be prepared by the President or his/her designee. SAAs will be coordinated, and distributed in the same manner as Southern College Policies.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1000.D**

**SUBJECT:** ~~Attachment D~~—Format for Southern Administrative Manuals (SAM's)

**REFERENCE:** SCP-1000, MAP Development System

**ORIGINATION:** April 6, 1999

**EFFECTIVE:** April 6, 1999

**REVIEWED:** ~~January 24, 2008~~ September 19, 2012

**SECTION 1. PURPOSE**

1.1 To establish the format and procedures for publication of Southern Administrative Manuals (SAM).

**SECTION 2. DEFINITION**

2.1 Southern Administrative Manuals (SAM) will be used to issue a large amount of specialized subject matter, procedural information of a continuing nature which is best published in manual form, or to group, for ease of reference, a number of issuances in the same subject matter area.

**SECTION 3. AUTHORIZATION**

3.1 Manuals must be approved by the Vice President of originating unit and the ~~Executive Vice President~~. The Vice President, Dean, or Director of the requesting unit is responsible for ensuring the proposed manual complies with current applicable federal, state, board, and institutional rules and policies. The Vice President, Dean, or Director will submit a memorandum to the President, ~~through the Executive Vice President~~, requesting authorization for the proposed manual. Requests will include:

3.1.1 title of proposed manual

3.1.2 purpose and outline of manual contents (Attach draft of a proposed preface page.)

3.1.3 planned format

3.1.4 approximate number of pages

3.1.5 distribution

3.1.6 office responsible for issuance

3.1.7 scheduled date of review for revision.

## **SECTION 4. PROCESSING FOR PUBLICATION**

- 4.1 The authorized originating unit will be responsible for preparing drafts, making corrections, and processing a final copy of the manual.
- 4.2 Reviewers will submit comments or concurrences within an established time limit. Comments will be considered by the originator and issuances will be revised as necessary. When major differences exist, these will be resolved prior to publication according to provisions of the MAP system policy.
- 4.3 Distribution information will be shown in the lower-left corner of signature pages and normally will be in the form of a distribution code or list.
- 4.4 Record case files will be retained by issuing unit.

## **SECTION 5. FORMAT**

- 5.1 The President's Office will assign numbers to each SAM consisting of identifying prefix "SAM," and a four-digit subject classification number, a decimal point, and a consecutive number if necessary. The number will appear in the upper-right corner of the cover and preface page and may be included on each page, if appropriate.

## **SECTION 6. CHANGES OR REVISIONS**

- 6.1 Changes or revisions will follow the procedure prescribed for ~~Attachment B~~ -- SCP-1000.B, Format for Southern College Policy (SCP).

## **SECTION 7. COVER**

- 7.1 The cover will carry the manual number in the upper-right corner, the title of the manual, and the name of the originating unit.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF OCTOBER 11, 2012**

**ITEM:** Request for approval of revisions to SCP-1481, *Naming of Facilities or Organizational Units*

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-1481, *Naming of Facilities or Organizational Units*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**STAFF MEMBER:** Joanne Jaeger Tomblin

**BACKGROUND:**

SCP-1481, *Naming of Facilities or Organizational Units*, establishes policy for the naming of any facility or organizational unit at Southern West Virginia Community and Technical College for an individual or organization. The policy applies to all facilities and organizational units owned by or under the direction of Southern.

This policy was reviewed in September 2012 and minor revisions are proposed. In Section 6, we recommend deleting 6.1.2.2 which excludes retired employees from having a building or an organizational unit named for themselves. In Section 7, we recommend that "procedures" be removed from the section title and from the current Section 7.1, then renumber the remainder of that section. This policy was reformatted to the current SCP format.

The staff recommends that the Southern West Virginia Community and Technical College Board of Governors advance this policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1481**

**SUBJECT:** Naming of Facilities or Organizational Units

**REFERENCE:** West Virginia Code §18B-1-3(h) (Supp. 2001)

**ORIGINATION:** December 2004

**EFFECTIVE:** February 15, 2005

**REVIEWED:** ~~September 4, 2007~~ September 19, 2012

**SECTION 1. PURPOSE**

1.1 To establish policy ~~and procedures~~ for the naming of any facility or organizational unit at Southern West Virginia Community and Technical College (the College) for an individual or organization.

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This issuance applies to all facilities and organizational units owned by or under the direction of the College.

**SECTION 3. DEFINITIONS**

3.1 None.

**SECTION 4. POLICY**

4.1 Approval by the Board of Governors (BOG) is required for the naming or renaming of any facility or organizational unit of the College.

**SECTION 5. BACKGROUND OR EXCLUSIONS**

5.1 None.

**SECTION 6. GENERAL PROVISIONS**

6.1 A building or organizational unit may be named for an individual or organization based upon the following conditions and considerations:

6.1.1 No facility or organizational unit shall be named for an individual who is currently serving on the BOG or who is currently employed or has been employed by the College during the immediately preceding three academic years.

6.1.2 An individual or organization for whom a facility or organizational unit is to be named must meet one or more of the following criteria:

6.1.2.1 Former governing board members who have rendered distinguished service or made an outstanding contribution to the success and reputation of the College;

~~6.1.2.2~~ Former or retired employees not included in the early (severance benefit) retirement program who have rendered distinguished service or made an outstanding contribution to the success and reputation of the College;

~~6.1.2.3~~ ~~6.1.2.2~~ A citizen or organization who/which has made a substantial monetary or personal service contribution to the College.

## **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

~~7.1~~ The procedures to be followed for requesting that a facility or organizational unit be named for an individual or organization is as follows:

~~7.1.1~~ ~~7.1~~ The President and BOG shall establish and review the levels of monetary contribution required for the naming of any facility or organizational unit of the College. The current levels of monetary contribution required shall be maintained in the office of the President of the College.

~~7.1.2~~ ~~7.2~~ A formal written request for the naming of any facility or organizational unit of the College shall be submitted to the President. The written request shall be accompanied by a brief biography of the individual or organization for whom/which the request is being made along with specific justification for the request.

~~7.1.3~~ ~~7.3~~ The President ~~will~~ shall review the request and related materials using the criteria stated in Section 6 of this policy.

~~7.1.4~~ ~~7.4~~ If satisfied that the criteria are met, the President ~~will~~ shall forward the request along with his/her recommendation for naming a facility or organizational unit to the BOG for its final approval. If the President determines the individual does not meet the criteria as stated in Section 6 of this policy, (s)he shall inform the individual(s) making the request and the BOG in writing.

~~7.1.5~~ ~~7.5~~ The BOG has final approval for the naming of any facility and/or organizational unit of the College.

~~7.1.6~~ ~~7.6~~ When a facility or organizational unit of the College has been named for an individual or organization, that name shall not be moved from one building or organizational unit to another.

~~7.1.7~~ ~~7.7~~ When a building is razed or an organizational unit is eliminated any existing name will no longer be used.

~~7.1.8~~ ~~7.8~~ The BOG, upon a majority vote of the members, may remove a name given when the majority of members through its vote deem that the individual or organization for whom/which the facility or organizational unit is named brings reproach upon the institution.

## **SECTION 8. CANCELLATION**

8.1 SCP-1480, *Naming and Renaming of Buildings and Organizational Units*, effective November 27, 2001.

## **SECTION 9. REVIEW STATEMENT**

9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President's designee. Upon such review, the President or President's designee may

recommend to the Board that the policy be amended or repealed.

**SECTION 10. SIGNATURES**

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**Board of Governors Chair**                      **Date**

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**President**    **Date**

**Attachments:**            None.

**Distribution:**            Board of Governors (12 members)  
www.southernwv.edu

**Revision Notes:**        September 4, 2007 — This policy was reviewed by Executive Council and Council recommended that the policy be continued with no revisions.

September 19, 2012 — Reviewed the policy for accuracy and made modifications to provide clarity. Renumbered Section 7 and removed “procedures” from the section title. Removed the term “procedures” from throughout the policy. The policy was reformatted to the new SCP format.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF OCTOBER 11, 2012**

**ITEM:** Request for approval of revisions to SCP-1725,  
Private Scholarships

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-1725, *Private Scholarships*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day comment period.

**STAFF MEMBER:** Ronald Lemon

**BACKGROUND:**

This policy was reviewed by the Vice President for Development and the Development Office staff. Minor revisions were made to reflect a change in position titles. The staff recommends that the Southern West Virginia Community and Technical College Board of Governors advance this policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1725**

**SUBJECT:** Private Scholarships

**REFERENCE:** None

**ORIGINATION:** July 1, 1984

**EFFECTIVE:** July 1, 1984

**REVIEWED:** ~~March 20, 2008~~ September 25, 2012

**SECTION 1. PURPOSE**

1.1 All private scholarships (that is, those different than Southern Scholarships or the West Virginia Higher Education Grant) established to assist students while they are in attendance at Southern West Virginia Community and Technical College shall be handled in a prescribed manner. It is a practice of the College to actively seek out individuals and groups to contribute funds to assist needy, academically talented, or otherwise special students.

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This policy is applicable to the distribution of private scholarships at Southern West Virginia Community and Technical College and administered through the Southern West Virginia Community College Foundation.

**SECTION 3. DEFINITIONS**

3.1 Private scholarships are funds given to the Southern West Virginia Community College Foundation for the sole purpose of assisting students with their educational expenses at Southern West Virginia Community and Technical College.

**SECTION 4. POLICY**

4.1 This policy establishes guidelines for the process of the receipt and distribution of private scholarships for the students at Southern West Virginia Community and Technical College. The Southern West Virginia Community College Foundation will administer the scholarships through the Office of the Vice President for Development in collaboration with the Office of Student Financial Assistance.

**SECTION 5. BACKGROUND OR EXCLUSIONS**

5.1 Southern Scholarships and West Virginia Higher Education Grant Scholarships are excluded.

**SECTION 6. GENERAL PROVISIONS**

6.1 None.

## **SECTION 7. RESPONSIBILITIES ~~AND PROCEDURES~~**

- 7.1 When an individual, group, corporation, civic organization, etc., decides to contribute funds for the specific purpose of providing financial assistance to students of Southern West Virginia Community and Technical College, the following steps shall be taken:
- 7.1.1 The Vice President for Development shall be notified immediately by the College contact person. The Vice President for Development may delegate responsibility for establishing the scholarship to the Director of Student Financial Assistance.
  - 7.1.2 Arrangements for publicity, if desired by the sponsor, shall be made with the ~~Vice President for Communications Office~~ Director of Media.
  - 7.1.3 If a sponsor desires scholarships may be directed to a certain campus or county.
  - 7.1.4 Non-specific monetary donations for scholarships shall be deposited in the Southern West Virginia Community College Foundation Account for general scholarship awards.
  - 7.1.5 Certain criteria or restrictions for the awards shall be set by the sponsor and/or the Vice President for Development and Director of Student Financial Assistance.
  - 7.1.6 The selection of a recipient of the scholarship shall be made by the Southern Foundation Scholarship Committee This committee may consist of donor designees, the Southern Foundation liaison, the Director of Student Financial Assistance, and the President of the Foundation or his/her designee. The Director of Financial Assistance in conjunction with the Vice President for Development shall then have the responsibility of awarding the scholarship and also monitoring the progress of the scholarship recipient.
  - 7.1.7 The scholarship funds, if submitted to the College by a third-party provider shall be forwarded to the Campus Business Office for deposit as revenue for the College and will be entered on the student's account for credit for the current semester.
  - 7.1.8 At the time of registration, in lieu of payment for tuition (and/or books), the scholarship recipient shall present the award letter to the Business Office.
  - 7.1.9 Disbursements for more than tuition, books and supplies, shall be handled on an individual basis by the Director of Student Financial Assistance with oversight by the Vice President for Development.
  - 7.1.10 For cases where the sponsor retains the funds until billed, the student, at the time of registration, presents the award letter to the Business Office. The responsibility of the billing for private scholarships through the Southern Foundation will be completed by the Office of Vice President for Development.

## **SECTION 8. CANCELLATION**

- 8.1 Non applicable.

## **SECTION 9. REVIEW STATEMENT**

- 9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President's designee. Upon such review, the President or President's designee may recommend to the

Board that the policy be amended or repealed.

**SECTION 10. SIGNATURES**

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**Board of Governors Chair**                      **Date**

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**President**    **Date**

**Attachments:**     None.

**Distribution:**     Board of Governors (12 members)  
                              www.southernwv.edu

**Revision Notes:**     March 20, 2008 — Revisions reflect no substantial changes in procedure or documentation requirements. Revisions provide clarity and reflect changes in management responsibilities.

September 25, 2012 — Reviewed policy for accuracy. Minor revisions reflect changes in position titles.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF October 11, 2012**

**ITEM:** Request for approval of revisions to SCP-2575, *Overtime and Compensatory Time*.

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-2575, *Overtime and Compensatory Time*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**STAFF MEMBER:** Sam Litteral

**BACKGROUND:**

The Finance and Administration Unit personnel reviewed SCP -2575, Overtime and Compensatory Time policy and made minor revisions. Revisions to SCP-2575 reflect minor changes including clarification of the different lunch periods for four and five day workweeks.

The staff recommends that the Southern West Virginia Community and Technical College Board of Governors advance this policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP- 2575**

**SUBJECT:** Overtime and Compensatory Time

**REFERENCE:** Title 135, Procedural Rule, West Virginia Council for Community and Technical College Education, Series 39, *Classified Employees*  
Title 135, Procedural Rule, West Virginia Council for Community and Technical College Education, Series 8, *Personnel Administration*  
WV Code §18B-7-11, “Compensatory time off in lieu of overtime; written agreement; other conditions”  
Fair Labor Standards Act of 1938, 29 U.S.C. §§201 to 219

**ORIGINATION:** February 17, 2004

**EFFECTIVE:** February 17, 2004

**REVIEWED:** July 26, 2012

**SECTION 1. PURPOSE**

1.1 The purpose of this policy is to develop an approval process and procedure for requesting and using compensatory time and overtime at Southern West Virginia Community and Technical College.

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This policy shall apply to all non-exempt employees and to exempt employees who are eligible for compensatory time according to Title 133, Procedural Rule, Higher Education Policy Commission, Series 8, *Personnel Administration*, Section 5.3.

**SECTION 3. DEFINITIONS**

- 3.1 Non-Exempt Employee: Those employees who are covered by the overtime provisions of the Fair Labor Standards Act (FLSA).
- 3.2 Exempt Employee: Those employees who are not covered by the Fair Labor Standards Act for overtime purposes.
- 3.3 Workweek: A regularly recurring period of one hundred sixty-eight (168) hours in the form of seven (7) consecutive twenty-four (24) hour periods. It begins on Sunday at 12:01 a.m. and ends on the following Saturday at 12:00 midnight. The president or president’s designee may establish a workweek different from this provided that record keeping requirements are met as set forth in relevant law. A work schedule of thirty-seven and one-half (37.5) hours will be established within a workweek. Lunch periods are unpaid and are typically one (1) hour in duration for five day work weeks and ½ hour duration for four day work weeks.
- 3.4 Overtime: Overtime is typically referred to as payment for time worked in excess of 40 hours per workweek. Only actual hours worked are included in calculating overtime. Pay which is received for holidays, annual leave, sick leave, or work release time is not counted as working hours for purposes of overtime. Overtime is calculated at one and one-half times the regular rate of total pay (including increment pay). Overtime for

hours worked between 37.5 hours per week and 40 hours per week are paid at the employee's regular base hourly rate. Overtime work must be approved in advance and requests to work overtime are made using the appropriate form.

- 3.5 Compensatory Time: Time taken off work in lieu of receiving payment in the form of overtime pay. Compensatory hours are calculated at one and one-half times the hours actually worked in excess of 40. Hours worked between 37.5 and 40 hours per week are compensated on an hour for hour basis. Compensatory time must be requested and approved in advance. Use of compensatory time must also be requested and approved in advance.

#### **SECTION 4. POLICY**

- 4.1 It shall be the policy of the Board of Governors to allow employees of Southern West Virginia Community and Technical College to receive compensatory time in lieu of overtime to the extent authorized by federal and state law and by procedural rule of the West Virginia Council for Community and Technical College Education. An employee may not work overtime unless approved in advance per this policy. A written agreement between the employee and the institution shall be completed when the employee chooses compensatory time off in lieu of overtime pay. The written agreement may be modified at the request of either the employee or employer at any time but under no circumstances shall a change in the agreement deny the employee compensatory time heretofore acquired.

#### **SECTION 5. BACKGROUND OR EXCLUSIONS**

- 5.1 Exempt employees are not eligible for compensatory or over time pay. HOWEVER, when an exempt employee is required to work on any designated institutional holiday, that employee shall be given substitute time off on an hour-for-hour worked basis. (See Title 133, Procedural Rule Series 8, Section 5.3).

#### **SECTION 6. GENERAL PROVISIONS**

- 6.1 Work Hours Beyond 37.5 Per Week: If it is essential that a non-exempt employee work more than 37.5 hours per week, the extra work must be requested and approved in advance by the immediate supervisor and the cabinet level administrator. The employee and immediate supervisor must mutually agree upon the method of compensation, choosing between the options of receiving monetary payment for extra hours worked, or receiving compensatory time off in lieu of pay. Depending upon the agreed upon method of compensation, the approval process is as follows:
- 6.1.1 Requests to work extra hours in exchange for monetary payment must be approved by the ~~Chief Financial Officer~~ Vice President for Finance and Administration.
  - 6.1.2 Requests to work extra hours in exchange for compensatory time off must be approved by the immediate supervisor.
  - 6.1.3 Maximum Accumulation: An employee of Southern West Virginia Community and Technical College may accumulate a maximum of 37.5 hours of compensatory time with the supervisor's approval. Any hours beyond this must be approved by the ~~Executive Vice President~~ Vice President for Finance and Administration.
  - 6.1.4 Public Safety, Seasonal, or Emergency Workers: Employees in these categories may accumulate up to 75 hours and shall be paid for all hours worked above the maximum accrual.
- 6.2 Time Frame for Use of Compensatory Time: Accrued compensatory time must be used by the employee prior to using annual leave. Compensatory time must be used within one year of accrual. The use of compensatory

time off must be requested in advance. Approval of the request shall be contingent upon whether it will unduly disrupt the operation of the institutional department. When compensatory accrual reaches 37.5 hours, the supervisor must schedule the time off within thirty days.

6.3 Payment at Termination or Resignation: Any unused compensatory time shall be paid to the employee at the final regular rate of pay received by such employee or at the average regular rate received by the employee during the last three years of employment, whichever is higher.

6.4 Compensatory/Over Time for Holiday Work:

6.4.1 Non-Exempt Employee: When a non-exempt employee is required to work on any designated institutional holiday, that employee shall receive regular pay for that holiday, plus substitute time off or additional pay at the rate of one and one-half (1½) times the number of hours actually worked.

6.4.2 Exempt Employee: When an exempt employee is required to work on any designated institutional holiday, that employee shall be given substitute time off on an hour-for-hour worked basis.

## **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

7.1 Primary Responsibility: The Office of Human Resources shall have primary responsibility for the implementation and oversight of the provisions of this policy. Employees and supervisors are responsible as follows:

7.1.1 Employees: Non-exempt employees may not work hours beyond his/her regular schedule unless requested to by his/her immediate supervisor, or without an approved request to work additional hours.

7.1.2 Supervisors: Supervisors are responsible for compliance with all sections of this policy. He/she is responsible to make sure his/her employees do not work beyond their regularly scheduled work hours per week. Should an employee be required to work additional hours, the supervisor is responsible for ensuring the appropriate request and approvals are properly completed. Supervisors are responsible for monitoring employee compensatory and overtime accruals to avoid the accumulation of unfunded liability for compensation owed to employees.

7.2 Procedures for requesting Overtime or Compensatory Time: The following procedures will be followed for administering overtime and compensatory time provisions of this policy.

7.2.1 The "Request to Work Additional Hours" must be completed by either the employee or the supervisor. The employee and supervisor must mutually agree upon the method of compensation for the additional hours to be worked. Options are either monetary pay, compensatory time off, or schedule adjustment.

7.2.2 Should an employee not wish to work for compensatory time off or be compensated with a schedule adjustment, the supervisor has the options to inquire if other employees would be interested in performing the work, delay the task until the next workday, or to request approval to pay overtime. The supervisor can request and even suggest the employee work for compensatory time off in lieu of overtime pay.

7.2.3 Schedule Adjustment: The supervisor and employee may agree to temporarily adjust the employee's work schedule in order to avoid the accumulation of compensatory time or overtime. Schedule adjustments must be made within the same work week.

- 7.2.4 Supervisor will consult with the ~~Chief Financial Officer~~ Vice President for Finance and Administration regarding the need and available budget for the extra work. Supervisors are reminded that although payment is not in dollars, compensatory time has associated costs to the institution. The ~~Chief Financial Officer~~ Vice President for Finance and Administration must provide signature approval for all “Request to Work Additional Hours” where monetary pay is the chosen method of compensation.
- 7.2.5 Approval is required from supervisor and cabinet-level administrator regarding the need prior to having the work performed.
- 7.2.6 The original “Request to Work Additional Hours” will be sent to Human Resources immediately after approval.
- 7.2.7 As a general rule, a separate Request to Work Additional Hours is required for each day an employee is requested to work in excess of the normal work day. An exception might be when the supervisor knows beforehand that the tasks will take several days during the workweek to complete and that a certain number of hours will be required. Multiple day requirements for overtime or compensatory time should be indicated as such on the form.
- 7.2.8 If overtime pay is agreed upon as the method of compensation, the employee will include the additional hours worked on his/her time card at the end of the applicable pay period. A copy of the approved “Request to Work Additional Hours” will be submitted with the time card.
- 7.2.9 Payroll will calculate the amount of pay and will add the additional wages to the employees next available payroll.
- 7.2.10 If compensatory time is agreed upon as the method of compensation, the employee will turn in a time card at the end of the month showing the additional hours worked. Compensatory hours worked are to be indicated with the code “C” for “comp time.” A copy of the approved “Request to Work Additional Hours” will be submitted with the time card.
- 7.2.11 The employee must make a request for approval to use accrued compensatory time to the supervisor prior to taking compensatory time off. Approval is contingent upon the needs of the department or institution. Accrued compensatory time must be used prior to using annual leave and must be used within one year of date earned.

## **SECTION 8. CANCELLATION**

- 8.1 None.

## **SECTION 9. REVIEW STATEMENT**

- 9.1 ~~This policy shall be reviewed on a three-year cycle by the President or the President’s designee. Upon such review, the President or President’s designee may recommend to the Board that the policy be amended or repealed. SCP- 2575 is scheduled for review during the 2010-2011 academic year. This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President’s designee. Upon such review, the President or President’s designee may recommend to the Board that the policy be amended or repealed.~~

## **SECTION 10. SIGNATURES**

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Board of Governors Chair

Date

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President

Date

**Attachments:** 2575.A, *Request to Work Additional Hours*

**Distribution:** Board of Governors (12 members)  
~~Office of the President~~  
~~Office of the Executive Vice President~~  
~~Office of the Vice President for Academic Affairs~~  
~~Office of the Chief Financial Officer~~  
~~Office of the Vice President for Economic, Workforce and Community Development~~  
~~Office of the Vice President for Student Services~~  
~~Office of the Chief Technology Officer~~  
~~Office of the Human Resources Administrator~~  
~~Office of the Academic Division Chairpersons (2 members)~~  
~~Faculty Senate Chair~~  
~~Classified Staff Council Chair~~  
~~Libraries (Harless and Williamson Campus)~~  
~~Office of the Director of Campus Operations (Boone, Logan, Williamson, Wyoming)~~  
www.southernwv.edu

**Revision Notes:** October 2007 — Reformatted policy. Corrected titles. No substantial revisions.

August 2012 — Minor changes in titles. Clarification of lunch periods for four and five day workweeks.



**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF OCTOBER 11, 2012**

**ITEM:** Request for approval of revisions to SCP-2700, *Reduction in Work Force, Classified Personnel*.

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-2700, *Reduction in Work Force, Classified Personnel*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**STAFF MEMBER:** Sam Litteral

**BACKGROUND:**

The Finance and Administration Unit personnel reviewed SCP-2700, *Reduction in Work Force, Classified Personnel*, and proposed minor revisions.

Revisions to SCP-2700 reflect changes as recommended for institutional reduction in force policies by the Office of the General Counsel for the Higher Education Policy Commission. The changes are minor and provide clarity. Changes include: Clarifies that a reasonable reduction in FTE is not considered a layoff. Clarified that full-time service will be prorated by FTE. Finally, since the policy has been in effect since 2004, requires that supervisors insure any specific qualifications or training requirements as referenced in Section 6.2 be included in the Position Information Questionnaire (PIQ) by the supervisor during the annual performance appraisal process.

The staff recommends that the Southern West Virginia Community and Technical College Board of Governors advance this policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-2700**

**SUBJECT:** Reduction in Work Force, Classified Personnel

**REFERENCE:** West Virginia Code §18B -7-1-3  
SCP-5260, *Meeting Financial Exigency*  
Title 133, West Virginia Council for Community and Technical College Education,  
Series 8, *Personnel Administration*

**ORIGINATION:** April 20, 2004

**EFFECTIVE:** April 20, 2004

**REVIEWED:** October 2012

**SECTION 1. PURPOSE**

- 1.1 The purpose of this policy is to establish uniform procedures that will provide a means to address required reductions in work force within the ranks of classified personnel in a fair and orderly manner.

**SECTION 2. SCOPE AND APPLICABILITY**

- 2.1 This policy shall apply to full-time classified employees and any full-time classified employee who is involuntarily transferred to a non-classified position for which the employee did not apply or whose position designation is involuntarily changed to non-classified without transfer to a different position. Nothing within this policy shall be construed to limit or control the authority of the President or Board of Governors to undertake personnel actions outside the context of a financial exigency.

**SECTION 3. DEFINITIONS**

- 3.1 Full-Time Regular Employee (FTR): Any employee in a classified position created to last a minimum of nine months of a twelve-month period and in which such employee is expected to work no less than 1,040 hours during said period. The full-time equivalent (FTE) of such a position must be reported at no less than .53 FTE. Personnel who fail to meet the work threshold for designation as full-time classified personnel shall hold no seniority and will be considered “at-will” employees.
- 3.2 Classification: The terms “classification,” “by classification,” or “equivalent classification” used in this policy and in West Virginia Code §8B-7-1 are interpreted to mean “pay grade,” “by pay grade” or “equivalent pay grade.”
- 3.3 Job Qualifications: Job qualifications refer to the requirements an incumbent or candidate for a particular position must possess. The specific job qualifications are outlined in the Position Information Questionnaire (PIQ) under Section IV. Job qualifications in the PIQ are the specific education or knowledge requirements; licensures; certifications; special knowledge, skills, and abilities (KSAs); and experience requirements a candidate for the position must possess in order to be able to adequately perform the job.
- 3.4 Seniority: For purposes of reduction in force, “seniority” means uninterrupted service in the higher education system. Uninterrupted service means the continuous period of time that an employee is in payroll status—i.e.,

being paid for time worked regardless of when the payment occurs. Therefore, persons on unpaid leaves of absence (regardless of the reason) do not accrue seniority service for purposes of reduction in force. An employee hired at Southern who previously worked at another institution under the jurisdiction of the Higher Education Policy Commission must have no break in service between the two institutions in order to have the previous institutional service counted toward seniority calculations for reduction in force purposes at Southern.

#### **SECTION 4. POLICY**

- 4.1 It shall be the policy of the Board of Governors to undertake reductions in the workforce of classified personnel in a consistent and fair manner. The continuation of services, following a reduction in workforce in the ranks of classified personnel with appropriately trained and qualified personnel, shall be afforded primary consideration in all decisions related to elimination of positions and the reassignment of affected classified personnel.

#### **SECTION 5. BACKGROUND OR EXCLUSIONS**

- 5.1 Part-time regular, casual and/or temporary classified employees are not covered under the provisions of this policy.
- 5.2 A reasonable reduction in the number of hours an employee works (FTE) is NOT considered a reduction in force.

#### **SECTION 6. GENERAL PROVISIONS**

- 6.1 Calculation of Seniority: Seniority accumulation for regular full-time employment begins on the date the employee enters upon regular full-time employment duties and continues until such regular full-time employment is severed with the College. Full time service will be prorated by FTE. Part-time service performed prior to becoming a full-time regular employee will not be counted in the seniority calculation. Only full-time, benefit eligible service will be counted. Additional seniority shall be given for full time service in the state's system of higher education, provided however, an entitlement to credit for service credited at another institution of higher education requires an uninterrupted transition to service at Southern. Such additional seniority shall be applied to adjust the total months of service. Employees shall accrue seniority while on sick leave, while receiving temporary total disability benefits under the workers' compensation system, while on approved military leave, or on any authorized paid leave. Employees shall not accrue seniority during periods of disciplinary suspension without pay or unauthorized absences. Any loss of seniority occasioned by disciplinary suspension or unauthorized absences shall result in an adjustment to an employee's total months of service for seniority purposes.
- 6.1.1 An employee who voluntarily terminates service through resignation or who is terminated for cause shall permanently lose all accumulated seniority. An employee who is subject to a reduction-in-force shall, upon re-employment, receive credit for previously accumulated seniority, but shall not accumulate seniority during the period of absence prior to re-employment.
- 6.1.2 If two or more employees accumulate identical seniority, the priority shall be determined by a random selection established by the employees and approved by the Office of Human Resources. Priority shall be established anew in the context of each personnel decision where a tie in seniority must be broken.
- 6.2 Correction of Erroneous Total Months of Seniority: Notification of total months of service shall be included in the employee's annual Notice of Classified Staff Title and Salary. It shall be the responsibility of all

classified personnel to validate the correctness of their total months of service and adjustments thereto. An employee who fails to correct erroneous total months of service and who is subject to adverse personnel action by virtue of erroneous seniority shall be prohibited from raising the error in the context of the adverse personnel action. However, an employee's erroneous seniority shall be corrected for all purposes other than the adverse personnel action in question.

- 6.2 Specific Qualifications or Training: Any specific qualifications or training associated with a classified position shall be set forth in the Position Information Questionnaire (PIQ). If specific qualifications or training are set forth in the PIQ, such positions shall only be available to more senior employees whose positions have been eliminated if such more senior employees hold such specific qualifications or have acquired such training. ~~Upon approval of this policy, the Office of Human Resources shall conduct a review of all classified employee PIQs for the purpose of recommending the inclusion of specific qualifications or training.~~ Specific qualifications and training shall be reviewed annually by the supervisor in the context of Position Information Questionnaire reviews during the performance appraisal process. Any significant changes recommended by supervisors or by the Office of Human Resources shall be submitted to the President for approval. The lack of qualifications or training by a more senior employee whose position has been eliminated shall be regarded as conclusive evidence that the more senior employee cannot perform the duties and responsibilities of a position where such specific qualifications or training is included in the PIQ.
- 6.4 President's Authority and/or Recommendation: The President may eliminate classified positions without prior recommendation to the Board of Governors for reasons other than financial exigency. These reasons may include, but are not limited to lack of funds, expirations of special grants or revenue streams, lack of work, material changes in duties, or changes in organization. In the event of a declaration of financial exigency by the Board of Governors, the President shall eliminate part-time and non-critical vacant positions prior to recommending the elimination of positions held by regular full-time classified personnel.
- 6.5 Action by the Board of Governors: Upon receipt of a recommendation by the President, the Board of Governors may eliminate classified positions.
- 6.6 Affected Personnel: Personnel who are serving in positions that have been designated for elimination shall be considered for reassignment based upon their seniority, classification and any relevant specific qualifications or training they may possess. Once positions have been designated for elimination, the affected employees must update their record of credentials and specific qualifications and training within a reasonable time frame as determined by the Office of Human Resources.
- 6.7 Consideration of FTE Status: FTE status shall be considered in evaluating the suitability of positions for reassignment. Notwithstanding the fact that employees with FTE's between .53 and 1.0 are considered full-time, vacancies and other potential positions for reassignment must be no less than .20 of the affected employees' FTE status to be considered suitable. However, if there are no suitable vacancies or other available suitable positions held by employees with less seniority, an employee may be reassigned to a position that would otherwise be considered non-suitable for reason of FTE disparity.
- 6.8 Process for Reassignment of Affected Personnel: The following process shall be observed for determination of reassignment of affected personnel.
- 6.8.1 Priority One: Qualified affected employees will be transferred to current vacant positions, without regard to seniority, in order to avoid a layoff situation by the institution. Attempts will be made to transfer affected employees to vacancies in the same classification. If a vacancy does not exist in the same classification, attempts will be made to transfer employees to vacant positions in lower classifications.

- 6.8.2 Priority Two: In the event that a layoff situation has not been avoided through application of priority one, qualified affected employees will be transferred to other positions within the same classification, displacing the least senior employees in that classification.
  - 6.8.3 Priority Three: After exhaustion of available positions in the same classification, qualified affected employees will be transferred to other positions in a lower classification, displacing the least senior employees in that classification.
  - 6.8.4 Priority Four: Transfer to a part-time vacancy within the same classification.
  - 6.8.5 Priority Five: Transfer to a position held by a part-time employee within the same classification.
  - 6.8.6 Priority Six: Transfer to a position held by a part-time employee in a lower classification.
- 6.9 Application of Seniority in Reassignment Determinations: If the employee holding a position that has been identified for elimination has more seniority than other employee(s) within the employee's classification, the employee shall displace the least senior employee within the classification who holds a position for which the more senior employee qualifies. Provided, that the PIQ for the position held by the less senior employee(s) within classification does not contain specific qualifications or training. In the event a PIQ for positions held by less senior employees contain specific qualifications or training, the positions will only be available to more senior employees if the more senior employees hold such specific qualifications or have acquired such training. If an employee refuses reassignment to a position in an equivalent classification, the employee forfeits all rights of recall.
- 6.9.1 If there are no positions within classification, lower classification (in rank order) shall be considered as potential assignments in the same manner as described in the foregoing paragraphs, provided, an employee may elect not to accept reassignment to a lower classification and be placed on the recall list.
  - 6.9.2 Employees who have been displaced by a more senior employee whose position had been eliminated shall have the same rights to reassignment as described in the foregoing paragraphs.
  - 6.9.3 If more than one position in a particular classification is eliminated, reassignments shall be considered in order beginning with the most senior affected employee.
- 6.10 Preferred Recall List: All employees who lack sufficient seniority to retain employment in a reduction in work force or who have been displaced as a result of the elimination of their positions and who elect to refuse reassignments to lower classifications, shall be placed in a preferred recall list. Employees on the preferred recall list shall be recalled to any position opening by the institution within the classification in which the employee had previously been employed or to any position in a lower classification for which the employee is qualified on the basis of seniority.
- 6.10.1 An employee on the preferred recall list shall not forfeit the right to recall if compelling reasons, as defined by the President, require the employee to refuse an offer of re-employment.
  - 6.10.2 The Office of Human Resources shall notify all employees on the preferred recall list of all position openings that exist from time to time. The notice shall be sent by certified mail to the last known address of the employee. It is the responsibility of the employee on the recall list to notify the Office of Human Resources of any change in address in order to retain recall status.
  - 6.10.3 An employee's listing shall remain active for a period of one year. However, employees must

annually request in writing that their listing be renewed for the successive year. An employee who fails to renew listing on the recall list prior to the anniversary date of placement on the list or last renewal shall be removed from the list.

6.10.4 No position openings shall be filled by the institution, whether temporary or permanent, until all employees on the preferred recall list have been properly notified of existing vacancies and have been given an opportunity to accept re-employment.

## SECTION 7. RESPONSIBILITIES AND PROCEDURES

7.1 The Office of Human Resources shall have primary responsibility for the implementation of the provisions of this policy.

## SECTION 8. CANCELLATION

8.1 None.

## SECTION 9. REVIEW STATEMENT

9.1 ~~This policy shall be reviewed on a three-year cycle by the President or the President's designee. Upon such review, the President or President's designee may recommend to the Board that the policy be amended or repealed. SCP-2700 is scheduled for review during the 2010-2011 academic year. This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President's designee. Upon such review, the President or President's designee may recommend to the Board that the policy be amended or repealed.~~

## SECTION 10. SIGNATURES

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**Board of Governors Chair**

**Date**

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**President**

**Date**

**Attachments:** None.

**Distribution:** Board of Governors (12 members)  
~~Office of the President~~  
~~Office of the Executive Vice President~~  
~~Office of the Vice President for Academic Affairs~~  
~~Office of the Chief Financial Officer~~  
~~Office of the Vice President for Economic, Workforce and Community Development~~  
~~Office of the Vice President for Student Services~~  
~~Office of the Chief Technology Officer~~  
~~Office of the Human Resources Administrator~~  
~~Office of the Academic Division Chairpersons (2 members)~~

~~Faculty Senate Chair~~

~~Classified Staff Council Chair~~

~~Libraries (Harless and Williamson Campus)~~

~~Office of the Director of Campus Operations (Boone, Logan, Williamson, Wyoming)~~

~~www.southernwv.edu~~

**Revision Notes:** October 2007 — Revisions reflect no substantial changes in procedure or documentation requirements. Policy format change.

October 2012 — Policy reviewed with changes based on recommendations in outline of reduction in force statues by the Office of the General Council for the West Virginia Higher Education Policy Commission. Policy format change.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF OCTOBER 11, 2012**

**ITEM:** Request for approval for 30-day public comment period for Southern Administrative Manual (SAM)-2000.1 *Employee Handbook*.

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SAM-2000.1 *Employee Handbook*, to Southern's constituencies and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**STAFF MEMBER:** Samuel Litteral

**BACKGROUND:**

The current *Classified Employees' Handbook* is being replaced by SAM-2000.1, *Employee Handbook*, which contains important information for all categories of employees. This handbook is not a comprehensive manual of all policies and procedures related to being an employee of Southern West Virginia Community and Technical College, but is intended to answer many basic questions and direct the reader to the right sources of additional information. The Handbook contains the appropriate contract disclaimers. The *Employee Handbook* contains no new concepts or rules, but seeks to reflect those already in place.

When approved, SAM-2000.1, *Employee Handbook*, will replace SCP-2125, *College-wide Employee /Personnel Policy*. All current and applicable content of SCP-2125 have been incorporated into the handbook. At its April 19, 2011 meeting, the Southern West Virginia Community and Technical College Board of Governors deferred action on SCP-2125 until the current *Classified Employees' Handbook* is revised, approved, published, and made available to all employees. Upon completion of SAM-2000.1, *Employee Handbook*, SCP-2125 will be resubmitted to the Southern West Virginia Community and Technical College Board of Governors with a recommendation for rescission.

This draft *Employee Handbook* was reviewed by the Classified Staff Council and sent to the Faculty Senate for review and recommendation. The draft *Handbook* was also sent to the Community and Technical College Council's Legal Department for review and input. This version reflects the changes recommended by legal staff.

This *Employee Handbook* does not replace the *Faculty Handbook* which is currently under review.

The draft *Employee Handbook* contains approximately 40 pages excluding the Table of Contents and any indices or appendices. We are currently looking for the best electronic format for the Handbook. The final version will contain a Table of Contents, an Introduction, sections covering General Provisions, Workplace Standards, Performance Appraisal, Payroll, Benefits, Employee Leave, Holidays, Employee Education, Additional Programs and Privileges, Employee Organizations, Classification and Compensation, Disciplinary Action, Grievance Procedure, and Terminations. Appendices will include useful definitions and helpful web links.

The Human Resource Office will be responsible for issuance. The Director of Human Resources, reporting to the Vice President for Finance and Administration, will be responsible for review and revision of the *Employee Handbook*. The Handbook will be under continuing review with updates as procedure, policy, rule, state and federal laws affect its content. The format may be modified for clarity and the best web-based distribution using Southern's Intranet. Upon issuance of a Southern Administrative Manual number, the format will be modified to reflect the manual issuance number.

The staff recommends that the Southern West Virginia Community and Technical College Board of Governors advance this draft *Employee Handbook* to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.



# *Southern* West Virginia Community and Technical *College*

**DRAFT**

**FOR COMMENT**

## **Employee Handbook**

**Human Resources Department**

**October 2012**



**DRAFT**

TO: All Employees  
Southern West Virginia Community and Technical College

FROM: Patricia Clay  
Director of Human Resources

DATE: October 11, 2012

SUBJECT: **EMPLOYEE HANDBOOK**

The *Employee Handbook* is intended to be a helpful guide to issues related to employment at Southern West Virginia Community and Technical College. It is not a comprehensive manual of all policies and procedures, but will hopefully answer many basic questions and direct you to the right sources of additional information. The *Classified Employees' Handbook* is being replaced in its entirety by the *Employee Handbook* which contains important information for all categories of employees. Only portions of the *Faculty Handbook* are being replaced. Upon adoption of the *Employee Handbook*, any provisions of the *Classified Employees Handbook* and/or the *Faculty Handbook* inconsistent with the provisions herein are deemed null and void.

Policies and procedures will change from time to time to accommodate changes in circumstances and applicable law. At any given time, existing policy and law will prevail over inadvertent error or outdated material in the *Employee Handbook*. If you discover a disabled web link or any other technical error or issue in this manual; or if you have suggestions for additional content, please contact Human Resources.

If the Human Resources staff can be helpful to you in any way, please let us know (304-896-7408). Please visit the Human Resources intranet web site: <http://intranet.southernwv.edu/> for additional information.

Nothing contained in the *Employee Handbook* is intended to be or should be construed as a contract of employment and its provisions may be changed at any time.

**TABLE OF CONTENTS**

Acknowledgement of Receipt.....	6
Introduction.....	7
Mission Statement .....	8
Institutional Commitments .....	8
Vision Statement .....	8
Our Core Values .....	9
General Provisions.....	10
General Provisions.....	10
Equal Employment Opportunity and Affirmative Action.....	10
Equal Pay for Equal Work.....	11
Immigration Reform and Control Act of 1986.....	11
Hiring of Relatives.....	11
Orientation.....	11
Assignment of Personnel to Job Location.....	11
Probationary Period .....	12
Physical and Mental Health .....	12
Medical Examination During Employment.....	13
Job Accommodation During Employment .....	13
Employee Categories/Employment Status.....	13
Classified.....	13
Non-Classified.....	14
Faculty .....	14
Position (Job) Description and Classification Review .....	14
Performance Appraisal .....	15
Overtime .....	15
Required Overtime.....	15
Compensatory and Holiday Premium Time Off.....	15
Work Week and Work Schedules.....	16
College Business Operational Hours .....	17
Flex Time.....	17
Breaks .....	17
Transfer and Promotion Opportunities .....	17
Reporting On-the-Job Injuries.....	18
Procedures for Reporting Unscheduled Absences.....	18
Access to Personnel Files .....	18
Ethics Statement.....	19

Conflict of Interest .....	19
Shared Governance.....	19
Workplace Standards .....	20
Employee Rights and Responsibilities.....	20
Open Door Policy .....	20
Management Rights and Responsibilities .....	21
Solicitation .....	21
Email as Official Method of Communications.....	21
College Property and Equipment.....	22
Computing and Telecommunications Resources.....	22
Private Information .....	23
Appearance and Professional Conduct .....	23
Knowledge of Policies.....	23
Harassment Policies .....	23
Drug-Free Workplace Policy and Procedures .....	24
Smoking and Tobacco Use Policy.....	24
Firearms and Weapons .....	24
Hazardous Materials .....	24
Campus Safety .....	24
Payroll .....	25
Paychecks.....	25
Direct Deposit of Checks .....	25
Non-Exempt Hourly Employees .....	26
Exempt Salaried Employees.....	26
Benefits.....	26
Employee Benefit Plans.....	26
Health Insurance Programs.....	26
Mountaineer Flexible Benefit Plan .....	27
Retirement Programs .....	27
403(b) Supplemental Retirement Plans & 457(b) Deferred Compensation.....	27
Life Insurance Program Under PEIA .....	27
The Standard Insurance Company Disability Insurance .....	27
Social Security and Medicare .....	28
Unemployment Compensation.....	28
Workers Compensation .....	28
Identification Cards.....	28
Employee Leave.....	29
Annual Leave .....	29

Sick Leave .....	30
Pregnancy Related Illness or Disabilities.....	32
Catastrophic Leave Program.....	32
Funeral Leave .....	32
Red Cross Leave.....	33
Grievance, Witness, and Jury Leave.....	33
Military Leave .....	33
Declared Emergency .....	34
Absence Due to Inclement Weather .....	34
Emergency Leave.....	35
Leave of Absence Without Pay .....	35
Family and Medical Leave Act .....	35
West Virginia Parental Leave Act.....	36
Holidays.....	36
Employee Development .....	37
Employee Development Policy.....	38
Additional Programs and Privileges.....	38
Library Privileges.....	38
Bookstore .....	38
Parking.....	38
Incentive and Recognition Programs .....	38
Employee Organizations .....	38
Classified Staff Council.....	39
Faculty Senate .....	39
Classified Staff Development Committee .....	39
Teaching Learning Center Committee.....	39
Classification and Compensation.....	40
Classified Staff Classification Determination .....	40
Faculty Compensation Program.....	40
Disciplinary Action.....	40
Progressive Discipline.....	41
Progressive Discipline with Plan of Improvement .....	41
Dismissal After Two Written Warnings .....	41
Dismissal for Gross Misconduct.....	41
General Disciplinary Action Provisions .....	42
Employee Response to Dismissal Notification .....	42
Non-classified Discipline.....	42
Grievance Procedure.....	43

Public Employees Grievance Board .....	43
Terminations .....	43
Voluntary Termination/Resignation .....	43
Retirement .....	44
Dismissal .....	44
Automatic Termination.....	44
Separation from College Employment for Medical Reasons .....	44
Reduction in Force.....	44
Terminating Employee Health Insurance Privileges .....	44
Date of Termination/Separation .....	45

# Southern West Virginia Community and Technical College Employee Handbook

## ACKNOWLEDGEMENT OF RECEIPT

Employee Name: \_\_\_\_\_

Employee Identification Number: \_\_\_\_\_

Department: \_\_\_\_\_

I have received a copy of Southern West Virginia Community and Technical College's Employee Handbook. I understand that I must read and familiarize myself with the contents of this Handbook and that it provides information for the guidance and reference of all employees. I understand that my category of employment, (i.e. classified staff, faculty, or non-classified staff) determines my eligibility for certain benefits and the applicability of certain sections of this Employee Handbook and when I am uncertain whether a section applies to me, I will contact Human Resources.

I understand that this Handbook is not intended to create, and should not be construed as creating, a contract between the College and me. No contractual relationship will arise unless an express written contract is signed by the President, who is the only representative authorized to enter into such a relationship, and myself.

I understand that the contents of this Handbook may be changed at the College's discretion at any time for any reason.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Upon receipt of this handbook which includes opening the electronic version, please print this page, sign and send to Human Resources.*

# INTRODUCTION

Welcome to Southern West Virginia Community and Technical College. Southern is a diverse workplace community made up of students, faculty and staff from different cultures. The success of Southern in achieving its mission can only be assured if we all work together. Your role as a member of the classified staff, non-classified staff, or faculty is very important to the success of this mission. Copies of procedures, policies, rules, and laws cited in the *Employee Handbook* are available in the Office of Human Resources and/or on Southern's [web site](#). The address for institutional policies is <http://www.southernwv.edu/administration/policies>). Additional links to Community and Technical College System (CTCS) Rules, state and federal law, and the College's procedures can be found on Southern's Intranet. The web address for the Intranet is <http://intranet.southernwv.edu/>. Click [here](#) for direct access to Human Resources Procedures on the Intranet. Required postings for federal and state labor laws can be found on the Human Resources Intranet under the tab "[Human Resources Required Postings](#)." The web address to this page is: <https://sites.google.com/a/southernwv.edu/human-resources/human-resources-required-postings>. If you have any questions or comments about the contents of the *Employee Handbook*, you should discuss them with your supervisor or the Director of Human Resources.

Employees of Southern West Virginia Community and Technical College represent the College both on and off campus. Every employee is expected to be willing and able to represent the College in the most positive manner with prospective, former and current students, colleagues, clients, suppliers, visitors and the communities served.

Courtesy and cooperation are essential to the successful operation of our College. Since an employee's conduct influences the general public's opinion of the college, Southern asks that all employees serve as a proud and positive ambassador for Southern and the services we provide to the communities we serve. Community relations are everyone's responsibility and we thank employees for doing their part!

The *Employee Handbook* is not an implied or expressed employment contract. The provisions of the *Employee Handbook* are guidelines rather than policies, and Southern West Virginia Community and Technical College reserves the right to depart from such guidelines where circumstances warrant. Existing policy and law will prevail over any inadvertent errors in the *Employee Handbook* text. Guidelines outlined in the *Employee Handbook* may be changed at any time at Southern West Virginia Community and Technical College's discretion. The duration of employment for any employee is unspecified, and is at the discretion of Southern West Virginia Community and Technical College within appropriate parameters established by applicable rules, policies, and laws. This edition of the *Employee Handbook* supersedes and replaces all previous classified employee handbooks.

# MISSION STATEMENT

It is the mission of Southern West Virginia Community and Technical College to provide accessible, affordable, quality education and training while promoting lifelong learning for those we serve.

## INSTITUTIONAL COMMITMENTS

As a comprehensive community and technical college, Southern is committed to providing:

1. Developmental and pre-college level education for those who lack the necessary academic background for direct entry into college-level courses.
2. Programs of study leading to the associate in arts and the associate in science degrees which can be effectively transferred and applied toward the baccalaureate degree.
3. Programs of study in career and technical fields leading to a skill-set certification, certificate degree and/or the associate in applied science degree for entry into the workforce.
4. Workforce development, continuing education and training programs that support the needs of employees and employers and serve as a mechanism for economic development.
5. Support services that assist students in achieving their education and training goals.
6. Community interest programs and activities that promote personal growth and cultural enrichment.

*Reviewed and reaffirmed October 13, 2011  
Southern WV Community and Technical College  
Board of Governors*

## VISION STATEMENT

Southern West Virginia Community and Technical College will be the higher education leader in West Virginia and the region. Southern will provide the leadership necessary to help West Virginia grow and prosper into the twenty-first century. Southern will be the hub around which all education and training/retraining efforts will turn. The College will act as the catalyst for economic development and change in the region. Southern will establish proactive partnerships which include education, business, industry, labor, government, community and cultural organizations, as well as other leaders to achieve regional goals. Southern will become a model of academic excellence, scholarship, creativity, innovation, and cooperation impacting the educational opportunities and economic growth of the region.

*Reviewed and reaffirmed October 13, 2011  
Southern WV Community and Technical College  
Board of Governors*

# OUR CORE VALUES

We will accomplish our mission by:

- Achieving excellence in education and service.
- Exhibiting integrity in all that we do.
- Collaborating and communicating actively with others.
- Being committed in word and deed.
- Imparting passion and compassion to our every task.
- Leading by encouragement and support of lifelong learning.
- Embracing change through bold actions.
- Being creative and innovative at all levels.
- Initiating opportunities for the community.
- Celebrating success.

*Reviewed and reaffirmed October 13, 2011  
Southern WV Community and Technical College  
Board of Governors*

Learn more about Southern West Virginia Community and Technical College by visiting our web pages:

## **History of Southern**

(<http://www.southernwv.edu/?q=about/history-southern>)

## **Administration**

(<http://www.southernwv.edu/?q=administration>)

## **Institutional Governance**

(<http://www.southernwv.edu/?q=administration/governance>)

## **Strategic Planning**

(<http://www.southernwv.edu/?q=administration/governance/strategy>)

# **SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE**

## **GENERAL PROVISIONS**

### **General Provisions**

Southern West Virginia Community and Technical College recognizes its legal and moral obligation to provide an environment in which an opportunity for employment is available to all qualified individuals without discrimination on the basis of race, color, sex, age, religion, national origin, disability, and veteran status. The College affirms its commitment to this principle and to an affirmative action program which not only will establish and sustain the criteria of equal opportunity for employment but which will also detect and eliminate any elements of discrimination in employment which may be found to exist within the institution. The College also commits itself to maintaining on a nondiscriminatory basis the conditions for continuing employment and for individual advancement within the job structure of the institution.

Responsibility for administration of policies and rules in this manual are delegated by the Vice President for Finance and Administration. The Director of Human Resources is responsible for the application, conformity, and coordination of the policies and procedures and the recommendation of changes when necessary. Department supervisors are responsible for the administration of personnel policies and procedures as they pertain to employees under their area of responsibility.

Personnel are considered to be employed only upon action of the College President. Employees are expected to understand that no one is authorized to commit the institution regarding employment, promotion, or employment status, without express written and signed approval of the President.

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

Southern West Virginia Community and Technical College is an equal opportunity/affirmative action institution. The College neither affiliates knowingly with, nor grants recognition to, any individual, group or organization having policies that discriminate. Southern, through its Affirmative Action Plan, seeks to employ qualified personnel on an equal opportunity basis. Faculty, staff, students, and applicants are protected from retaliation for filing complaints or assisting in an investigation under the College's Equal Employment Opportunity Policy/Affirmative Action Plan. Supervisors are directly responsible for equal opportunity/affirmative action matters at the unit/department level. A copy of the College's [Affirmative Action Plan](#) is available for review on the Human Resources Intranet web page. The Director of Human Resources serves as the Affirmative Action/Equal Opportunity Officer.

## **Equal Pay for Equal Work**

Southern West Virginia Community and Technical College is governed by the “[Equal Pay Act of 1963](#)”, as amended, and the “West Virginia Equal Pay for Equal Work for State Employees” section of West Virginia Code. ([WV Code Sec. 21-5E-3](#)) These laws govern all job classification and compensation decisions. The purpose of the Act is to ensure that both females and males performing substantially similar work receive equal pay when their jobs require equal skill, effort and responsibility as defined in the law. A provision of the Act permits institutions to pay differentials based on individual qualification, bona fide merit longevity or other reasons not based on a person’s sex.

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

The Immigration Reform and Control Act of 1986 requires all employees, as a condition of employment, to provide original documents which establish their identity and employment eligibility. Also, all employees must complete their portion of the Employment Eligibility Verification Form (Form I-9). Employees must provide these documents within three days of the first day of employment. Southern retains copies of the completed Form I-9 as required by the Act.

## **Hiring of Relatives**

Employees of the College should neither initiate nor participate in institutional decisions involving a direct benefit to members of their family as described below. Such decisions include but are not limited to initial appointment, retention, promotion, salary and leave of absence. Part-time temporary employment and student employment on a part-time basis or payment to students in the form of scholarships shall not be interpreted as employment for these purposes.

A family member is defined as: Parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin, husband, wife, step-parent, stepchild, brother-in-law, sister-in-law, father-in-law, mother-in-law; son-in-law, daughter-in-law, half-brother, and half-sister.

## **Orientation**

During the first days of employment, the orientation process will begin. New employees meet with a Human Resources Representative for an in depth benefit orientation and enrollment session. The new employee will be provided with important policies relating to employment at Southern. Supervisors will provide employees with an introduction to procedures, programs, performance, and expectations of the position. The supervisor is the primary authority and best source for specific information regarding position responsibilities and performance expectations. The supervisor is the first person to contact concerning any questions, problems, or complaints pertaining to your duties and responsibilities or workplace conditions.

## **Assignment of Personnel to Job Location**

Employees are assigned job responsibilities at a particular job location. Since the College is administratively organized into a one-college concept, serving multiple counties at multiple locations, the College administration may find it necessary to reassign personnel to another location. Such assignment will be made after assessing the needs of the College and in consultation with the employee(s) to be affected.

It may also be necessary for personnel based at one location to work temporarily at another location. If such is the case, the individual will be eligible for travel reimbursement/state vehicle and travel will be included in the work schedule whenever possible.

### **Probationary Period**

A six-month probation and evaluation period is provided for new classified employees or those classified employees who have been transferred or promoted within the institution. Probationary classified employees will be evaluated at the end of three months and at the end of six months. With satisfactory evaluations, at the end of the probationary period, they will be considered regular classified employees. Non-classified employees are “will and pleasure” and the aspects of probation do not apply to the terms of their employment.

If one does not meet the standards of performance that have been previously discussed with the supervisor, the probationary period, at the discretion of the President, may be extended to a maximum of twelve months. The supervisor, working through the Human Resources Department, must request this extension from the Office of the President. To request an extension of the probationary period, a supervisor must identify specific deficiencies and include a planned corrective program, outlining goals and objectives within a specific time frame for achieving the desired performance. The employee will be notified of the extension and the deficiencies and improvements required. During the extended probationary period, follow-up performance appraisals are required to determine progress with goals and objectives. The schedule for follow-up performance appraisals will be included in the plan provided to the employee. Supervisors must conduct follow-up probationary performance appraisals at least every three months during the extended probationary period.

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

### **Physical and Mental Health**

It is incumbent on all personnel to voluntarily seek appropriate care for physical and mental/emotional problems.

All supervisors and department heads must contact the Human Resources Office regarding employee situations involving physical and/or mental health. If the supervisor and/or department head believes the physical or mental/emotional health of an employee is such that professional assistance and/or evaluation are needed, voluntary compliance should be sought by the supervisor. If the employee does not respond and the department head agrees with the supervisor that assistance and /or evaluation is needed, again voluntary compliance should be sought by the department head. If the employee does not respond affirmatively, the department head may make a request to the Director of Human Resources that the employee be required to submit to a physical examination or that mental health assistance, or treatment be sought for that employee. In such cases, the Director of Human Resources will confer with the President and, if possible, with the employee before acting upon the department head’s request.

## **Medical Examination During Employment**

Under certain conditions such as health and safety concerns, requirements of federal or state law, or for second opinion independent medical leave verification, Southern may require employees to undergo one or more medical examinations beyond those called for by policy, rule, state and/or federal law. The College will pay for any fees for the second examination not covered by the employee's health insurance. The result of medical examinations and any associated reports will be shared with the employee and will serve to further support documentation initially provided to use as a basis for making administrative decisions related to job retention, reassignment efforts, reasonable accommodations, job separation, and other personnel matters related to the affected employee(s). Any supervisor who wishes to require such an examination can do so only after approval of the Director of Human Resources.

## **Job Accommodation During Employment**

An employee in his/her present position who is otherwise qualified and has or acquires a qualifying medical impairment or impairments causing functional restrictions or limitations which can be reasonably accommodated, will be provided such measures by Southern, if reasonable accommodation will permit the employee to meet the essential functions of his or her particular job. Reasonable accommodation under the American's With Disabilities Act does not guarantee light duty assignments will be provided. For additional information or to request such accommodation, contact the Office of Human Resources.

## **Employee Categories/Employment Status**

Southern categorizes employees into three major types; classified, non-classified and faculty. Policies of the West Virginia Council for Community and Technical College Education define the employee categories and types of positions within each category.

### **Classified:**

- **Full-Time Regular Employee** – an employee in a staff position created to last a minimum of nine months of a twelve-month period and in which such employee is expected to work no less than 1,040 hours during said period. The full-time equivalent (FTE) of such a position must be reported at no less than .53 FTE. Such an employee is eligible for all applicable benefits of a full-time regular employee, subject to the qualifying conditions of each benefit. Such benefits shall be prorated in relation to a 1.00 FTE. Length of service as a full-time regular employee with the State of West Virginia shall be credited toward initial placement on the salary schedule.
- **Part-Time Regular Employee (PTR)** – an employee in a position created to last year after year, but with less than 1,040 hours during a twelve-month period. An employee in a PTR position is not eligible for benefits, but may be covered under the classification program.
- **Temporary Classified Employee** – an employee hired into a position expected to last fewer than nine months of a twelve-month period regardless of hours worked per week. A temporary employee is not eligible for benefits, but may be covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.
- **Casual Employee** – a casual employee position is created to meet specific operational needs at an institution for no more than 225 hours in a twelve-month period. Individuals in a casual

employee position are not eligible for benefits and are not covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.

- **Student Employee** – an employee enrolled at the institution as a student and whose primary purpose for being at the institution is to obtain an education. A student employee is not eligible for benefits and is not covered by the classification program. Service in this capacity does not apply to any seniority or years of experience.

### **Non-Classified:**

- **Non-Classified Employee** – an employee who is responsible for policy formation at the department or institutional level, , or reports directly to the President of the institution. Non-classified employees are not subject to the classification program but are eligible for benefits, if their assignment is at least .53 FTE. Non-classified employees are “will and pleasure.”

### **Faculty:**

Faculty may fall into one of the following classifications:

- **Tenured** – a faculty classification pertaining to those faculty members who have attained tenure in accordance with the rules and policies for tenure at Southern.
- **Tenure Track (Probationary)** – a faculty classification pertaining to those faculty members who are employed in a “tenure track” position but have not yet attained tenure in accordance with the rules and policies for tenure at Southern.
- **Term** – a faculty classification pertaining to those faculty members who have been appointed for a specified term as defined by the institution. The appointment may be full-time (1.00 FTE or the equivalent, as determined by the institution) or part-time. While a full-time term faculty member is eligible to receive reappointment to additional terms, no single term may exceed three years. No number of term appointments shall create any presumption of a right to appointment as tenure-track or tenured faculty.
- **Instructional Specialist** – a term faculty classification pertaining to those faculty members who have been appointed minimally on a nine-month basis and an hourly workload. The appointment is for a specified term not to exceed three years. The instructional specialist is eligible to receive reappointment to additional terms. No number of term appointments shall create any presumption of a right to appointment as a tenure-track or tenured faculty. In addition to teaching, instructional specialists will have responsibilities for various academic support activities.

### **Position (Job) Description and Classification Review**

A position description shall exist for every employee of the institution and shall be reviewed by the position’s supervisor during the annual performance appraisal process. Position descriptions are on file in the Human Resources Office. Every employee is entitled to obtain a copy of his/her position description. It is the responsibility of the employee to review and be familiar with the position description for his/her position.

A written Position Information Questionnaire (PIQ) shall exist for every classified job title. Although an annual review of the PIQ/job description is done with the performance appraisal, at least every three years the PIQ shall be formally reviewed, revised if needed, signed by the

employee and supervisor, and submitted to Human Resources. The PIQ shall be revised and a request to review the classification of the position shall be made anytime a *significant* change in the duties of the position occurs. Either the employee or the supervisor may request a classification review by completing a “Classification Review Request” form and submitting the request with the revised PIQ to the Director of Human Resources. The [Classification Review Request Form](#) can be found on the Human Resources Intranet.

A written job description shall exist for every non-classified and faculty position. The job description shall be reviewed annually during the performance appraisal/faculty evaluation and revised whenever a significant change in duties and responsibilities occurs.

### **Performance Appraisal**

Classified employees will have their job performance evaluated by their supervisors twice during the probationary period and at least once annually thereafter, prior to July 31<sup>st</sup>. Non-classified employees will have their job performance evaluated annually. The appraisal interview with the employee is for the purpose of clarifying job understanding and expectations, improved performance, improved communications, performance counseling, goal setting and development. The performance appraisal results will be used as a factor to be considered in employee transfer, promotion, retention, and demotion determinations and, for non-classified employees, will be used to determine in part the employee’s salary increase. Performance Appraisal guidelines and forms can be found on the [Human Resources Intranet](#).

### **Overtime**

Classified and non-classified positions are either exempt or non-exempt from the Fair Labor Standards Act (FLSA). Faculty positions are exempt. This determination is made based on FLSA criteria. Questions regarding overtime should be directed to the Director of Human Resources.

- **Non-Exempt Employees** – are entitled to overtime compensation at the rate of 1.5 times the actual hourly rate for all hours worked in excess of 40 during the work week. Hours worked between 37.5 and 40 are compensated at the straight time hourly rate. Holidays and sick or annual leave hours are not hours worked. Overtime for non-exempt employees must be approved according to policy *before* the overtime is worked. For details regarding request, approval, and payment of overtime, see [SCP-2575 Overtime and Compensatory Time](#).)
- **Exempt Employees** – do not receive overtime compensation. These employees meet the Fair Labor Standards Act criteria for executive, professional, or administrative positions.

### **Required Overtime**

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

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

Compensatory time off shall be allowed only to the extent authorized by federal and state law. Compensatory time for employees must be approved according to policy *before* the compensatory time is worked. Any holiday comp time must be used within a six-month period

following the holiday. When an exempt employee is required to work on any designated institution holiday, that employee shall be given substitute time off on an hour-for-hour worked basis. For details regarding request, approval, and use of compensatory time, see [SCP-2575 Overtime and Compensatory Time](#). Holiday premium time off is detailed in [SCP-2360 Holidays](#).

### **Work Week and Work Schedules**

The work week is defined as a regularly recurring period of one hundred sixty-eight hours in the form of seven consecutive twenty-four hour periods. The work week begins at 12:01 a.m. on Sunday and ends at 12:00 a.m. (midnight) the following Saturday. The President or president's designee may establish a workweek different from this provided that record keeping requirements are met as set forth in relevant law. The standard number of work hours for a full-time classified or non-classified employee is 37.5 hours during the work week. Employees are expected to be punctual and functioning in their positions consistent with their scheduled work hours. Based on operating need, supervisors have the authority to require employees to work more than their normal hours. Supervisors also have the authority to assign employees to work different shifts on a temporary or permanent basis. When practical, employees will be given 15 days advanced notice of any significant schedule change. However, employees have the responsibility of reporting as assigned by their supervisors, even if there has not been advanced notice of a significant schedule change given to the employee. It is the policy of Southern not to routinely make temporary, non-emergency changes in an employee's work schedule. For more information on work schedules and alternative work schedules, see [SCP-2234 Work Schedules](#).

Employees, with approval of their supervisors, may request one of the 37.5 hour per week schedules below. Operational needs of the department guide employee scheduling. For this reason, employees are not guaranteed approval of the work schedule requested.

#### **Option 1**

7:00 a.m. to 5:00 p.m. with ½ hour for lunch Monday through Wednesday.

7:00 a.m. to 4:30 p.m. with ½ hour for lunch on Thursday.

#### **Option 2**

7:30 a.m. to 5:30 p.m. with ½ hour for lunch Monday through Wednesday.

7:30 a.m. to 5:00 p.m. with ½ hour for lunch on Thursday.

#### **Option 3**

8:00 a.m. to 6:00 p.m. with ½ hour for lunch Monday through Wednesday.

8:00 a.m. to 5:30 p.m. with ½ hour for lunch on Thursday.

#### **Option 4**

Proposal of an alternate four day work week schedule which is designed to serve operational needs of the College. Requests for schedules under this option are typically reserved for building and grounds personnel, personnel in departments with weekend operations, and/or personnel in departments whose processes must be performed at times when the facilities are closed.

The President reserves the right to end or modify alternative work schedule arrangements at any time for any reason and will provide employees at least a fifteen (15) calendar day notice of such schedule modification. Alternative flex time and core times may also apply to shifts other than day shift and for work week schedules other than Monday through Thursday.

The President reserves the right to modify and change established employee work week schedules at her/his discretion. Whenever possible, notification of work week schedule modifications will be provided in advance. An example of work week schedule modification is the five day work week schedule established four times per year to provide for full employee participation in governance days.

### **College Business Operational Hours**

The core business operational hours for Southern are from 8:00 a.m. to 4:30 p.m. Monday through Thursday. Offices and facilities are open on Friday and weekends based on operational needs. The specified core business operational hours shall be included in all departmental Monday through Thursday operational schedules. Departments must have at least one regular employee scheduled during the core business operational hours specified.

### **Flex Time**

An employee may request and work other than Southern business hours. It is the responsibility of the supervisor to maintain reasonable continuity in working schedules and conditions for employees and to consider feasible and innovative ways to most efficiently utilize classified employees, such as flexibility in employee scheduling, job-sharing and four-day or other compressed work weeks. Individual changes to the established institutional work week schedule must be made in writing and be approved by the supervisor, unit head and the President. Final approved schedules shall be sent to Human Resources. For more information on alternative work schedules, see [SCP-2234 Work Schedules](#).

### **Breaks**

A lunch or meal period will be provided when an employee works six or more hours per day. Although there is no requirement for an employee to receive any formal break periods beyond this meal period, supervisors may grant employee rest periods not to exceed 15 minutes per day. Additional unauthorized time away from the work site must be charged against an appropriate leave accrual. Break periods may be granted at the discretion of the supervisor. The purpose of such break periods is to provide relief from duties and absence from the work station, offering employees the opportunity to attend to personal activities (i.e., to smoke, to make personal calls, etc.). Based upon operational needs, an employee may be required to work through a break; in such cases, the employee is not entitled to additional compensation, or alternative time off. Breaks are compensated work-release time and may not be used or accrued to make up work time, leave work early, extend lunch time or in any way alter approved work schedules.

### **Transfer and Promotion Opportunities**

Non-Faculty: All transfer and promotion applications should be submitted to the Office of Human Resources. The employee must apply for a specific vacancy as advertised. It is the employee's obligation to provide appropriate information regarding qualifications and complete an Application for Employment for each position posted for which he/she wants to be considered. Questions concerning the transfer and promotion process should be directed to the Office of Human Resources.

Faculty promotions are available in accordance with [SCP-2686 Promotion in Rank and Tenure](#) and [2686.A Promotion in Rank and Tenure Criteria and Forms](#).

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

On-the-job injuries, regardless of the severity, are required to be **immediately** reported by the employee, if possible, and by the supervisor to the Human Resources Office.

Additionally, the employee's supervisor, in conjunction with the employee whenever possible, must submit a written accident report form to the Director of Campus Operations no later than 24 hours after the injury occurs. All accidents and injuries must be reported, regardless of whether they result in a Worker's Compensation claim. Failure of the employee or supervisor to report an injury to Human Resources can result in discipline, including termination. Each employee's supervisor is responsible for having the appropriate forms completed and submitted immediately to the Office of Human Resources and the Campus Director's Office. [SCP-1375 Reports of Accidents and Incidents](#) and [SCP-1375.A Accident/Incident Report Form](#) are available on the Southern's "Policies" web page.

Occupational Safety and Health Administration (OSHA) regulations require that each department report any occupational injury or illness. The Directors of Campus Operations at each location are responsible for submitting an incident report to the Office of Human Resources.

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

## **Procedures for Reporting Unscheduled Absences**

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

## **Access to Personnel Files**

A confidential personnel file containing pertinent employment information is maintained for each employee in the Office of Human Resources. The employee is entitled to inspect or copy his or her personnel file in the presence of a Human Resource staff member. No material may be permanently removed from the file without the express written consent of the President. If employees wish to examine their personnel files, they should notify the Office of Human Resources by phone or by filing a written appointment request at least 24 hours in advance of the desired appointment time. Personnel files may be examined only during normal Southern business hours. The response of the Office of Human Resources to outside requests for employment verification is restricted to the release of the employee's name, employment dates, and job title. Salaries of public (state) employees are a matter of public record and can be obtained from the West Virginia State Auditor's Office.

Records exempt from review include, but are not limited to pre-employment reference information including letters, telephone notes, and memoranda secured from the employee's prior employers or persons who are not current employees of the College: the report of the search committee; medical records created or received by the College that an employee can obtain directly from his/her physician or directly from a health care provider; or other records

required to be kept confidential by law or policy or deemed unlawful to copy are regarded as the property of the College and confidential. These records are to be maintained in a separate confidential file in the Human Resources office and are not available to the employee. The employee shall not be entitled to inspect or copy any letter of reference or other similar record that he/she has previously waived the right to inspect when the information was solicited by or supplied to Southern based on such waiver. The employee shall not be entitled to inspect or copy any other record exempted by WV Code 29B-1-4 unless there is clear and convincing evidence of a legitimate reason sufficient to overcome the exception.

### **Ethics Statement**

All Southern West Virginia Community and Technical College employees, volunteers, and members of appointed boards, committees, and commissions, shall maintain unquestionable standards of high personal integrity, truthfulness, honesty and fairness in the exercise of their official responsibilities. These persons are expressly prohibited from accepting improper personal gain as a result of their position or in connection with information received by virtue of their employment with Southern. All employees shall carry out the College's business in a manner that benefits the public interest and the common good. They shall uphold the United States Constitution and the Constitution of the State of West Virginia. They shall impartially carry out all Federal, State, and County laws and ordinances in an effort to foster respect for all levels of government. They shall not exceed their authority, breach the law, act dishonestly, nor directly or indirectly request others to do so. They shall observe the highest standards of ethical behavior and discharge faithfully their duties and responsibilities, regardless of personal considerations, and shall avoid circumstances that create an appearance of impropriety. They shall protect the institution's assets and its reputation through professional and personal conduct that is above reproach. This means treating co-workers and all members of the public with respect, courtesy, fairness, honesty, and integrity. Any questions regarding ethical standards applicable to state employees should be addressed to the Director of Human Resources.

### **Conflict of Interest**

Full time faculty and professional staff are to render full time service to the institution. Outside activities are not restricted unless such activities or employment interfere with the adequate performance of college employment responsibilities. Faculty and professional staff must complete [SCP-2562.A External Professional Activities for Pay Report Form](#) annually in accordance with [SCP-2562 External Professional Activities of Faculty and Other Professional Staff](#).

### **Shared Governance**

Southern West Virginia Community and Technical College has established a decision-making system based on consultative governance. This system provides for participation by, and consultation with, representative constituents from the College. Constituents of the College include administrators, non-classified, faculty, classified staff, students, and district residents. Consultative governance is a collaborative process that involves representatives from the College working in a climate of mutual trust and respect. These representatives gather and share information related to significant issues and work toward decisions on those issues in accordance with the mission, vision, purposes, and values of the College. Governance-related interaction among constituent groups provides the balance of stability and change necessary for the advancement of the College. The shared governance system operates on the principles of disclosure, responsiveness and accountability. More detail about the governance system can be

found on Southern's web page at <http://www.southernwv.edu/?q=administration/governance>. Click [here](#) for a copy of the Institutional Governance Handbook.

## WORKPLACE STANDARDS

### **Employee Rights and Responsibilities**

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

### **Open Door Policy**

Southern supports an Open Door Policy which means that the Director of Human Resources' and every manager's door is open to every employee. The purpose of our open door policy is to encourage open communication, feedback, and discussion about any matter of importance to an employee. Our open door policy means that employees are free to talk with the Director of Human Resources or any manager at any time.

**Responsibilities Under an Open Door Policy:** If any area of your work is causing you concern, you have the responsibility to address your concern with a manager or with Human Resources. Whether you have a problem, a complaint, a suggestion, or an observation, management wants to hear from you. By listening to you, the College is able to improve, to address complaints, and to foster employee understanding of the rationale for practices, processes, and decisions.

**Before You Pursue the Open Door Policy:** Most problems can and should be solved in discussion with your immediate supervisor; this is encouraged as your first effort to solve a problem. But, an open door policy means that you may also discuss your issues and concerns with the next level of management and/or with Human Resources staff members. No matter how you approach your problem, complaint, or suggestion, you will find managers at all levels of the organization willing to listen and to help bring about a solution or a clarification.

**Benefits of the Open Door Policy:** By helping to solve problems, managers benefit by gaining valuable insight into possible problems with existing methods, procedures, and approaches. While there may not be an easy answer or solution to every concern, employees have the opportunity at all times, through the open door policy, to be heard.

Any employee or group of employees has the right, without discrimination or retaliation, to discuss with their supervisor(s) and or the Director of Human Resources the terms of their employment or working conditions.

## **Management Rights and Responsibilities**

Managers and supervisors at Southern should treat employees with respect and dignity. Managers and supervisors are responsible for compliance with College policies and procedures and for communicating and applying operational based directives. Managers and supervisors are also responsible for carrying out administrative directions and decisions. Occasionally, the College, just as any other large organization, has to make decisions without prior consultation with its employees. The college must, therefore, maintain exclusive discretion to exercise the customary functions of management.

Administrative/management/supervisory rights and responsibilities include, but are not limited to, such things as:

- Determining the work force direction and objectives;
- Determining the size and composition the positions required, changed or consolidated;
- Establishing standards of performance and conduct;
- The discretion to select, hire, promote, transfer, demote, suspend, dismiss, assign, supervise, evaluate, and discipline employees;
- Scheduling of the work force, including determination of the number of shifts to be worked, and the scheduling and amount of overtime to be worked;
- Determining and modifying job descriptions and job classifications;
- Assigning duties and responsibilities to employees;
- Determining when reductions in work force are required, including hour reductions and layoffs; determining when recalls are required;
- Establishing and changing salary and wage rates in accordance with needs and requirements determined by the institution;
- Establishing a safe work environment;
- Providing the materials and equipment to do the work required;
- Establishing, changing, and abolishing policies, procedures, rules and regulations; and
- Ensuring adherence to applicable laws and policies.

## **Solicitation**

Solicitation and selling of products and articles on Southern property, owned or leased, is prohibited except by organizations and groups directly affiliated with and recognized by Southern, and authorized by written approval of the institution's President or the President's designee. The names of Southern West Virginia Community and Technical College and the West Virginia Council for Community and Technical College Education may not be used to secure funds for any purpose or through any means without the written permission of the institution's President or the President's designee. Employees may not participate in the solicitation of funds by sales or donation, stated or implied, using the name of the institution or their title without the written permission of the College President or the President's designee. No employee may conduct personal for-profit business on College premises.

## **Email as Official Method of Communications**

Southern will utilize college-issued email accounts to convey college-related, critical, and/or time sensitive information to faculty, staff, and students. In some instances, e-mail communication may be the only means by which particular information is conveyed. Employees will be assigned a college email account upon employment by the College. College e-mail distribution lists will ONLY be used to disseminate information directly related to the

business of the College. Faculty, staff, and students are responsible for responding to e-mail notifications sent to their official e-mail account in a timely manner. Missed deadlines or other repercussions resulting from failed e-mail forwarding or poor mailbox maintenance will not be excused.

### **College Property and Equipment**

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

Employees are responsible for securing the College buildings, office, room, equipment, and other keys assigned to them for work-related reasons. Costs incurred by the institution as the result of unauthorized use or the misuse of College property, such as, but not limited to, personal telephone calls, will be recovered from the responsible employee. Personal calls must be avoided at all times except for emergencies. An employee may not use institutional phones for personal calls.

Use of college vehicles is subject to requirements in [SCP-5780 – Travel Regulations](#). Employees must complete a driver safety training program before they can operate college vehicles. Travel expense reimbursement is subject to limitations and allowances in the Travel Regulations policy.

### **Computing and Telecommunications Resources**

Use of Southern West Virginia Community and Technical College's technology resources is for purposes related to the college's mission of education, research, and public service. All classes of technology service users may use technology resources only for purposes related to their studies, their instruction, the discharge of their duties as employees, their official business with the College, and other college sanctioned activities. The use of Southern West Virginia Community and Technical College's technology resources for commercial purposes is permitted only by special arrangement with the computing center or Chief Information Officer. The recreational use of the account for purposes unrelated to institutional goals is not allowed.

Computing and Telecommunications resources include, but are not limited to:

- West Virginia Network for Educational Tele-computing (WVNET);
- Southern Office of Information Technology Systems, including hardware equipment, data, and programs;
- Southern Campus Networks;
- Southern Telecommunications and Telephone Systems;
- College-owned computers and printers;
- College-owned software.

Computer or communications equipment, data, or programs owned, leased, or otherwise provided by Southern West Virginia Community and Technical College or the West Virginia Council for Community and Technical College Education Central Office are only for authorized administrative and academic purposes. The following is specifically prohibited:

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

See [SCP-7125 Information Technology Acceptable Usage](#) for more detailed information.

### **Private Information**

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

### **Appearance and Professional Conduct**

It is the responsibility of each employee to maintain standards of appearance and conduct which will complement his/her occupational responsibilities, enable the employee to safely perform his/her duties and responsibilities, and enhance the institution's professional image with the public.

### **Knowledge of Policies**

College personnel are responsible for knowing and following institutional policy. Institutional policies are available on [Southern's Internet](#) and procedures are available on [Southern's Intranet](#).

### **Harassment Policies**

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

Employees or students who believe they have been harassed in violation of policy should take the steps to file a complaint outlined in the [Sexual Harassment Policy](#) or file a complaint in accordance with the time lines and procedures outlined in the Grievance Procedure contained in WV Code §29-6C-2 Individuals such as the Director of Human Resources and the Dean for Student Services and Enrollment Management are available to provide assistance. Any supervisor, agent or other employee who is found, after appropriate investigation, to have engaged in the harassment of another employee or student will be subject to appropriate sanctions depending on the circumstances, up to and including termination.

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

All employees of Southern West Virginia Community and Technical College, including faculty, staff, administrators, and student employees, must comply with the Drug-Free Workplace Act of 1988 (Public Law 100-690 Title V, Subtitle D, 41 U.S.C. 701 et. seq.) and The Safe and Drug Free Schools and Communities Act of 1989. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the work place. Reporting for work under the influence of a controlled substance or alcohol is prohibited. As a condition of Southern West Virginia Community and Technical College employment, every employee shall abide by the terms of this policy and notify their supervisors and the Office of Human Resources of any conviction of drug or alcohol related charges resulting from any activity occurring in the work place or otherwise on College premises no later than five days after such conviction. Any employee found in violation of this provision shall be subject to disciplinary action, including dismissal, and may be required to participate in a drug abuse assistance or drug rehabilitation program. [SCP-2156 Drugs in the Workplace](#) can be found on Southern's web page.

## **Smoking and Tobacco Use Policy**

Smoking of tobacco, except in designated areas, is prohibited in all buildings and facilities of Southern West Virginia Community and Technical College. Smoking is also prohibited in any motor vehicle owned, leased, or otherwise operated by the College. Smoking within 25 feet of building entrances is prohibited as designated by signage. Cigarette ashes and cigarette remains should be placed only in designated receptacles. Tobacco products, such as snuff and similar substances, are prohibited in all buildings.

## **Firearms and Weapons**

Firearms and weapons of any kind are prohibited on college premises. Any persons who, without express written permission of the College President, enters or remains on any part of property owned, leased, or otherwise used by Southern West Virginia Community and Technical College, or any structure or conveyance thereon, carrying or possessing a firearm or other deadly weapon, who temporarily refuses to relinquish a firearm or other deadly weapon, or to leave such premises while in possession of such firearm or deadly weapon shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than one thousand dollars or confined in the county jail not more than six months or both unless such person is a law enforcement officer, other person exempt by law or he or she has the express written permission of the President of the College. (WV Code 61-7-14). Violations of this rule are to be reported to the Director of Campus Operations who will contact local law enforcement.

## **Hazardous Materials**

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

## **Campus Safety**

Southern West Virginia Community and Technical College is committed to the safety and health of students, employees and visitors to our campuses. The Safety Committee was established to

give all campus constituents a voice in safety issues, to foster cooperative communication between management and employees, to maintain a safe campus environment, and to coordinate necessary training for college employees. Safety Committee membership includes management, employees and students. Goals of the committee are to reduce the incidence of injuries and illnesses at the college, to improve safety in the college environment, and to provide a means for communicating safety issues. The Vice President for Finance and Administration or his/her designee is responsible for developing and maintaining a written Safety Committee Program. Each campus has an appointed Crisis Management Team which is responsible for safety compliance and distribution of campus specific safety information.

Offices and classrooms at each campus location should contain an Emergency Response Flip Chart. The chart contains emergency phone numbers, instructions for response to various emergency situations and phone numbers for the campus specific Crisis Management Team members. Employees are to become familiar with the content of the flip chart and maintain the chart in an accessible place. If your workspace does not have an Emergency Response Flip Chart immediately available, contact the Director of Campus Operations.

As an additional measure of safety, each campus employs a telephone Emergency Notification/Paging System. The Director of Campus Operations is responsible for emergency announcement over the paging system. Employees are required to follow instructions and directives announced during drills and/or actual emergency situations.

More information about the Safety Committee, Crisis Management Teams, and Emergency Response Plans can be found on the "[Business Office](#)" Procedures Page of the Intranet.

## **PAYROLL**

### **Paychecks**

Employees are paid twice a month. If a month has 30 calendar days, pay day will be on the 15th and the 30th of the month. If a month has 31 days, pay day will be on the 16th and the 31st of the month. When a pay day falls on a weekend, pay checks will normally be issued the preceding Friday. The College is required by law to make deductions from paychecks for federal and state income taxes, Social Security, and retirement (if full-time). Employees should immediately notify their supervisors if they believe there is a problem with their pay check. New employees will be paid one pay period in arrears.

Payroll forms, such as time cards, monthly leave records, tax withholding, and other related forms are located on the Human Resources Intranet under the "[Employment](#)" tab. The EPICS Schedule, a calendar for payroll processing deadlines and pay dates, can be found on the West Virginia State Auditor's Web page at <http://www.wvsao.gov/EPICSPayroll/Default.aspx>.

### **Direct Deposit of Checks**

All employees are strongly encouraged to have their pay checks deposited directly into their bank accounts. Direct Deposit applications are available in the Human Resources and Payroll Offices.

### **Non-Exempt Hourly Employees**

Non-exempt hourly employees are to complete and submit a time card of actual hours worked to his/her supervisor on the last day of each pay-period. This time card is signed by the supervisor and submitted to the Payroll Office.

### **Exempt Salaried Employees**

Exempt salaried employees must complete a monthly leave record of hours taken for sick or annual leave. This monthly leave records is signed by the supervisor and sent to Human Resources by the 10<sup>th</sup> day of the following month.

## **BENEFITS**

### **Employee Benefit Plans**

Southern West Virginia Community and Technical College provides benefits-eligible employees an opportunity to participate in a comprehensive package of benefits, including health, life, disability, retirement, dental, vision, and medical spending accounts. Employees will learn more about each of these plans at the new employee orientation session. All plans, programs, benefits, services, and other provisions are subject to review and change at any time. Contact the Office of Human Resources for benefits questions or information.

### **Health Insurance Programs**

West Virginia Public Employees Insurance Agency (PEIA) offers hospital, surgical, major medical, prescription, and other medical care coverage. Employees pay a portion of the premium cost. The plan includes \$10,000 term life insurance at no cost to employees.

The initial enrollment period is the month of employment and the following two months. However, new employees should enroll as soon as possible and must enroll by the end of the month for coverage to be effective the first day of the following month. Unless the employee opts to waive participation, premiums for the health and life plans are pre-tax (no federal or WV state tax or social security taxes are deducted from the premiums) under Section 125 of the IRS Code.

Guidelines allow existing employees to enroll or change coverage during the open enrollment period each year. If a qualifying event occurs, employees should contact the Office of Human Resources to change their insurance plan; otherwise employees may make changes only during the open enrollment period. Annually, employees may choose to enroll, or change coverage in one of PEIA's Preferred Provider Benefit Plans.

Employees should refer to the Summary Plan Description concerning health benefit options and coverages.

More information about PEIA, including a copy of the [Summary Plan Description](#) can be found on their [web page: http://www.peia.wv.gov](http://www.peia.wv.gov) .

## **Mountaineer Flexible Benefit Plan**

Various benefit plans are available on a pre-tax basis. Contact the Office of Human Resources for details. The initial enrollment period for new enrollees is the month of employment and the following two months. Otherwise changes and enrollment may be made only during the annual open enrollment period or if a qualifying event occurs.

## **Retirement Programs**

Participation by benefits-eligible employees in a tax-sheltered retirement program is required by West Virginia State law. Employees must contribute six percent of their gross pay to the Teachers Insurance and Annuity Association/College Retirement Equities Fund (TIAA/CREF) Retirement Program and/or Great West Retirement Services' Educators Money – 401(a) Retirement Plan. Southern West Virginia Community and Technical College matches the employee's six percent contribution. Vesting is immediate, and retirement benefits may begin at any age upon termination of employment. Retirement income is based on age at retirement, amount of dollars accumulated, and the income option chosen.

## **403(b) Supplemental Retirement Plans & 457(b) Deferred Compensation**

In addition to the basic group retirement plan, Southern West Virginia Community and Technical College employees have the option of tax sheltering additional money through a 403(b) Supplemental Retirement Account or 457(b) Deferred Compensation Plan. Supplemental Retirement Accounts and Deferred Compensation Plans are available through TIAA-CREF and Great West Retirement Services.

## **Life Insurance Program Under PEIA**

The basic health plan under PEIA includes \$10,000 term life insurance with an accidental death and dismemberment benefit. The monthly premium is paid by Southern. Employees who do not need coverage under the health plan may elect life insurance only. Additional optional life insurance may be purchased by employees for a monthly premium based on age, tobacco use status, and the principal sum selected – up to \$500,000. Dependent life insurance may also be purchased. Enrollments under both options are subject to a statement of health after the employee has been with the institution for three months or more. Health statements are not required of new employees if electing up to guaranteed amount of \$100,000. Any request for enrollment above \$100,000 is contingent upon approval after submitting a statement of health, but the coverage from \$100,000 is automatically approved while waiting for approval above this guaranteed amount.

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

The Standard Insurance disability policy is a long-term disability plan providing a non-taxable monthly income to age 65 in the event of total disability. The income benefit is based upon the employee's base salary and, for non-faculty employees, begins after six months of total disability. For faculty employees, benefits begin after 30 days of continuous disability. The monthly income benefit, which is offset by any income payable from employee sick leave, Social Security, Workers Compensation, and any disability benefit payable under any insurance or retirement plan sponsored by Southern West Virginia Community and Technical College, is equal to 60% of the monthly salary to a maximum of \$10,000. The minimum monthly benefit under this plan is \$100.

The premium is calculated on the base salary of the employee and 100% of the premium is paid by the employee. If employees enroll after the first full month of employment, they may be subject to a requirement for a medical exam.

Employees enrolling for the disability income benefit are also included under the “Annuity Benefit” provision of the plan. The annuity benefit provides for the monthly payment of 12% of the employee’s salary into a TIAA-CREF account, in addition to the disability income payments. Participation in The Standard Insurance Company Disability Insurance program is a condition of employment for new faculty employees.

### **Social Security and Medicare**

All employees must contribute to governmental Social Security and Medicare programs. The employee’s contributions are matched by Southern West Virginia Community and Technical College.

### **Unemployment Compensation**

Wages at Southern West Virginia Community and Technical College are reported quarterly to the West Virginia Department of Employment Security. For more information about this program, contact the local Job Service Office/Office of Employment Security.

### **Workers Compensation**

Employees of Southern West Virginia Community and Technical College are provided protection from loss of wages and medical expenses for job-related injuries by worker’s compensation insurance for which Southern pays premiums for all employees. Upon seeking medical treatment, the injured employee must secure a BI-1 Form from the medical provider, which must be submitted to Brick Street Insurance Company.

On-the-job injuries or occupational illnesses that involve no more than three days of disability leave or absence from work will not be charged against the employee’s accumulated sick leave. If on-the-job injuries or illnesses require a medical leave beyond the three-day period, the employee must use either of the following options: (1) Receive earned and accumulated sick leave benefits until they are exhausted and forfeit any benefits determined to be due under the West Virginia Workers Compensation Laws; or (2) Request leave of absence without pay, reserving for future use any earned and accumulated sick and annual leave, and receive only Workers Compensation benefits for which he/she is determined eligible.

### **Identification Cards**

An Employee Identification Card is issued to each full-time and part-time regular employee by the Human Resources Office. Employees may be required to present their identification cards when a reduced rate option on events is offered, or when accessing College owned facilities and services. Upon resignation or retirement from Southern, employees must return their cards to Human Resources before their final paycheck can be released.

For more information and questions about employee benefit programs and options, contact the Human Resources Office (Ext. 7416).

# EMPLOYEE LEAVE

This section on Employee Leave is applicable to all employees of Southern West Virginia Community and Technical College. However, particular types of leave programs may be applicable to specific categories of employees, and not others. Please refer to [SCP-2006 Employee Leave](#) for specific allowances for employee leave.

All full time employees (classified, non-classified, and faculty) are eligible for medical leave of absence without pay, parental leave, family medical leave, personal leave of absence without pay, military leave, special emergency leave with pay, disaster service volunteer leave, and witness and jury leave.

Faculty employees with less than twelve month appointments are not eligible for sick or annual leave accumulation as described in this section. However, faculty employees are eligible for leave as outlined below under “Faculty Absences” in the Sick Leave section of his manual.

Faculty members with twelve month administrative appointments will accumulate annual and sick leave using rules applicable to non-classified employees. Rules outlined under “Faculty Absences” below do not apply to faculty with twelve months administrative appointments.

Classified and non-classified employees working on a regular and continuing basis for no less than 1950 hours within the fiscal year are eligible for leave as specified in policy.

Classified and non-classified employees working between 1,040 hours and less than 1,950 on a regular and continuing basis during the fiscal year will accumulate leave on a pro rata basis.

## **Annual Leave**

All eligible employees shall accumulate annual leave with pay on the following basis:

Less than 5 years service.....	1.25 days accrual per month
5-10 years service .....	1.50 days accrual per month
10-15 years service .....	1.75 days accrual per month
15 or more years service .....	2.00 days accrual per month

Non-classified and faculty employees with a twelve month appointment will earn annual leave at a rate of two (2.0) days per month.

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

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

**Accumulation Limits** - Accumulated leave for continuing employees may not exceed twice the amount earned in any twelve-month period. Employees are entitled to compensation for accumulated annual leave at termination of service, but in no case may this exceed twice that amount earned in any twelve-month period.

**Calculation Based on Years of Service to the State of West Virginia** - Annual leave accrual rate shall be based on years of service to the recognized agencies of the State of West Virginia.

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

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

**Illness During Annual Leave** - Illness which occurs during scheduled annual leave is counted as annual leave.

**Transfer of Annual Leave** - Up to 15 days of annual leave may be transferred with an employee from other agencies of the West Virginia State Government to Southern West Virginia Community and Technical College. Certification of the balance which existed with the previous employing agency must accompany the request for transfer of annual leave by the employee. The request must be made within one year from the last day of employment with the other agency or institution.

**Unused Annual Leave Credits** - In the event of an employee's death, the accumulated annual leave payment will be credited to the employee's estate.

**Lump Sum Payment Option for Unused Annual Leave** - Upon termination of active employment through resignation, retirement, or otherwise, an employee may be paid in a lump sum amount, at his or her option, for accrued and unused annual leave. The lump sum payment shall be made by the time of what would have been the employee's next regular payday had his or her employment continued. No deduction shall be made for contributions toward retirement from lump sum payments for unused, accrued leave since no period of service credit is granted in relation thereto.

## **Sick Leave**

**Faculty Sick Leave Absences** - A faculty member, who must miss scheduled work time (class, office, committee, or other) for illness or other reasons, is required to complete a faculty absence form. Whenever possible, the faculty absence form is to be completed in advance of the absence.

For absences due to illness lasting or expecting to last two or more consecutive weeks, the full time faculty member must request a medical leave of absence pursuant to established medical leave procedures applicable for all employees. (See [SIP-2484 Medical and Military Leaves of Absence](#))

Before returning to work after a period of absence for two work weeks or more, the faculty member must obtain a "Return to Work Authorization/Medical Release" form from the treating physician.

Faculty members are strongly encouraged to enroll in disability coverage. Faculty employed after September 1999 are required to enroll in disability insurance as a condition of employment.

Faculty who miss work for thirty (30) consecutive calendar days will be removed from the payroll. At this time, wage replacement benefits from disability coverage should begin.

**Non-Faculty Sick Leave Absences** - Full-time regular classified and non-classified employees accrue 1.5 days of sick leave per month of active employment. Accumulation of sick leave is unlimited. Non-faculty employees working between 1,040 hours and 1,950 hours over at least nine months of a twelve-month period shall accumulate sick leave on a prorated basis. Sick leave may be used by an employee who is ill or injured or when a member of the immediate family is seriously ill as defined by the treating physician, or when a death occurs in the immediate family. For the purpose of administering this leave policy, the immediate family is defined as: father, mother, son, daughter, brother, sister, husband, wife, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, step-mother, step-father, step-children, or others considered to be members of the household and living under the same roof. Sick leave may also be used for employee medical appointments which are approved in advance by the supervisor.

**Transfer of Sick Leave** - Accumulated sick leave may be transferred to Southern for employees coming to Southern from other agencies of West Virginia State Government. Certification of the employee's sick leave balance which existed at the state agency must accompany the request for transfer and bear the signature of an officer of that agency. A request for transfer must be made within three years from the last day of employment with the other state agency.

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

**Sick Leave Conversion Upon Retirement** - Upon meeting certain requirements, individuals retiring from Southern may be eligible to apply unused sick leave as a credit toward the premium for the West Virginia Public Employees Insurance Plan. This option is not available to non-faculty employees hired after July 1, 2001. This option is not available to faculty hired after July 1, 2009. Contact the Office of Human Resources for additional information.

**Medical Leave Verification** - Medical leave verification or assessment is a signed statement from the treating health care provider to validate the illness or other cause for which sick leave or medical leave of absence may be granted. The health care provider signing the medical assessment must be currently and appropriately licensed. The document must provide information regarding the individual's medical condition, diagnosis, prognosis, and functional limitations, including duration and treatment plan, if any. Based upon the medical assessment, employability and/or accommodation determinations will be made by Southern.

Medical leave verification/assessment is required:

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

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

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

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

Disabilities which may be caused by pregnancy shall be treated the same as any other off-the-job illness or disability would be treated for sick leave entitlement. Pregnancy-related illness shall include pregnancy, miscarriage, abortion, childbirth and recovery. In determining if an employee is unable to work because of a pregnancy related illness, the same criteria shall be used as for any other disability.

### **Catastrophic Leave Program**

An employee eligible for leave accrual, who is experiencing a catastrophic illness or injury as defined by the West Virginia Code and Southern procedures, and who has exhausted his/her annual and sick leave, may request approval to receive paid leave time donated by other employees. Within established limits, employees may voluntarily donate accumulated sick or annual leave directly to an approved recipient. For information, contact the Office of Human Resources.

### **Funeral Leave**

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

## **Red Cross Leave**

An employee that is a certified disaster service volunteer of the American Red Cross may be granted, with the supervisor's approval, leave with pay for up to 15 work days per year to participate in relief services for the Red Cross. The employee is required to provide proof of Red Cross Certified Disaster Service Volunteer status to Human Resources prior to requesting Red Cross Leave. The supervisor must consult with Human Resources prior to approving Red Cross Leave.

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

Employees who are subpoenaed or directed to serve as jurors or appear as witnesses for review proceedings of the Federal Government, the State of West Virginia, or a political subdivision thereof, shall be entitled to work release time for such duty and for such period of required absence which overlaps regularly scheduled work time. Employees are entitled to leave with pay for the required period of absence during the regularly scheduled work time including reasonable travel time. When attendance in court is in connection with usual official duties, under subpoena, or as directed by the supervisor, time required, including reasonable travel time, shall not be considered as absence from duty. Likewise, time spent by Southern employees as hearing officers, hearing committee members, and parties or witnesses in a grievance hearing is considered legitimate work time if it occurs during their normally scheduled work hours, and is part of a service to Southern. Appearing as a witness without a subpoena at the request of a fellow employee and without the request of an authorized supervisor does not constitute College business. An employee who is scheduled to work prior to the court or hearing start time shall initially report to work, travel time permitting. An employee who is excused from court/hearing prior to the end of the scheduled work day shall immediately report to work for the remainder of the work day. This policy does not apply to employees who are called to testify as expert or consulting witnesses and who are paid for their witness services. Further, this policy does not apply to employees involved as parties to a personal lawsuit unrelated to work.

## **Military Leave**

Members of the National Guard or any reserve component of the armed forces of the United States are entitled to and will receive a leave of absence without loss of pay, status, or efficiency rating, for all days in which engaged in drills or parades ordered by proper authority, or for field training or active service for a maximum period of 30 working days in any one calendar year, ordered or authorized under provision of state law. The term "without loss of pay" shall mean that the employee shall continue to receive normal salary or compensation, notwithstanding the fact that such employee may receive other compensation from Federal sources during the same period. Furthermore, such leave of absence shall be considered as time worked in computing seniority, eligibility for salary increase, and experience with the institution. An employee shall be required to submit an order or statement in writing in advance from the appropriate military officer in support of the request for such military leave.

As follows, any such member employee will be provided entitlements consistent with their existing employment status, as though continuous:

- Any employee on military leave, under the following provisions, will continue to receive normal salary or compensation for the time as indicated below, regardless of whether or not the employee receives other compensation from federal sources during the same period.
- Payment of wages for up to thirty (30) working days in any calendar year to any such employee absent from the worksite for time in which he/she is engaged in drills, parades, field service or active service to the State.
- Payment of wages for up to thirty (30) working days per single call to active duty for any such employee away from the worksite under provisions of the Military Selective Service Act or any other time in which the President or other properly designated federal authority of the United States may order him/her to active service.
- The number of unused days from the first 30 working days may be added to the additional 30 working days, up to a maximum of 60 working days for a single call to active duty. However, none of the unused days from the first 30 days may be carried over and used in the next calendar year.

The Family Medical Leave Act (FMLA) provides a Military Family Leave Entitlement to eligible employees for certain qualifying exigencies and also a special leave entitlement for an eligible employee to care for a covered service member. Employees seeking leave for reasons related to military services for themselves or family members are to contact the Human Resources Office.

### **Declared Emergency**

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

Full-time regular employees are eligible for regular pay for work time lost because of a declared emergency. Work time lost will be considered regular work time for pay purposes and will not require time charged to accrued leave nor will there be a requirement that the time be made up. When operational needs require a non-exempt, regular classified or non-classified employee to work during a College declared emergency period, in addition to regular pay the employee will receive compensation in either Compensatory Time off (CTO) or pay at the rate of time and one-half for the actual hours worked during the College-declared emergency period. Exempt employees that work during a declared emergency period receive CTO on an hour-for-hour-basis.

Cancellation of classes due to inclement weather is not a declared emergency.

### **Absence Due to Inclement Weather**

Absences from work due to weather conditions other than during a declared emergency must be charged against accumulated annual leave, or the employee must be removed from the payroll in

question. Sick leave may not be charged for absence due to weather. Time lost from work may be made up in the same work week at the discretion of the employee's supervisor.

### **Emergency Leave**

Emergency leave of up to five days within any fiscal year, with pay, may be granted by the President of Southern West Virginia Community and Technical College in the event of extreme misfortune to the employee or his/her immediate family; provided that all accrued annual leave has been exhausted. Typical events which may qualify an employee for such leave include fire, flood, or other occurrences (other than personal illness or injury, or serious illness or death in the immediate family) of a nature requiring emergency attention by the employee.

### **Leave of Absence Without Pay**

A full-time regular employee, upon application in writing and with written approval by the College President, may be granted a continuous leave of absence without pay for a period of time not to exceed one year. Leaves of absence without pay may be granted for medical reasons, personal need, or in compliance with the Parental or Family Medical Leave Acts. All annual leave must be taken before a personal leave of absence is approved. For Leave of Absence Without Pay for medical reasons, all sick leave must also be taken before a personal leave of absence without pay will be approved. For additional information refer to [SCP-2600 Employee Leave](#). The President, at his or her discretion, may require the written approval of the supervisor before accepting the written application of an employee for a leave of absence without pay and shall determine if the purpose for which such leave is requested is proper and within sound administrative policy.

At the expiration of a leave of absence without pay, the employee shall be reinstated without loss of any rights, to the vacant position or a comparable position. During a leave of absence without pay, Southern will honor an employee's rights under WV Code Section 18B-7-3 Failure of the employee to report promptly at the expiration of an approved leave of absence without pay, except for satisfactory reasons submitted in advance, shall be cause for termination of employment by the institution.

### **Family and Medical Leave Act**

The Family and Medical Leave Act (FMLA) allows qualified employees to request up to 12 weeks per year of leave. The request should be made to the Office of Human Resources. All sick leave does not have to be exhausted to request benefits under the FMLA. Medical coverage may continue during this leave period with the employee paying full costs. FMLA leave can be either unpaid or paid, running concurrent with sick and/or annual leave.

Reasons for taking leave:

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

## **West Virginia Parental Leave Act**

The West Virginia Parental Leave Act provides that a qualified employee be entitled to up to a total of 12 weeks (480 hours) of unpaid family leave (following the exhaustion of all his or her annual and personal leave) because of the birth or adoption of a child, or to care for a son, daughter, spouse, parent or dependent who has a serious health condition. Annual leave and personal leave must be taken before a parental/family leave of absence can be approved. Parental/family leave of absence provides a maximum of 12 weeks leave during any twelve-month period.

See [SCP-2600 Employee Leave](#) for more detail regarding employee leave or call Human Resources at extension 7408.

## **HOLIDAYS**

Guidelines for College observed holidays are provided in [SCP-2360 Holidays](#). Holidays established are intended to grant full-time regular employees the benefit of one work day of paid time off. Full time staff employed at less than 1.00 FTE receive time off on a prorated basis.

There are 13 paid holidays each fiscal year, including statewide primary and general election days, plus two additional half-holidays when Christmas and New Year's Day fall on Tuesday through Friday. Half-holidays shall be counted as half-days in computing the total number of holidays. Holidays shall include: Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, and Dr. Martin Luther King's Birthday. The remaining holidays are designated at the discretion of the President each year. The holiday schedule for a new fiscal year is generally approved in February or March. Proclamations of a legal holiday by the President of the United States, governor, or any other authority are generally recognized at Southern West Virginia Community and Technical College. If a recognized holiday occurs on a Saturday, the College may observe it officially on the preceding Friday. If a recognized holiday occurs on a Sunday, the College may observe it officially on the following Monday. Any specific adjustment regarding a day of observation will be announced by the President's Office or designated authority.

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

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

If an observed holiday occurs on a day not included in an employee work schedule as established under his/her approved four day work week, an alternative holiday shall be granted. When an observed holiday occurs during an employee's scheduled annual leave, the day will not be charged to annual leave.

Holidays declared due to special elections that occur on days the college is closed will not be considered holidays and no alternate time off will be provided. However, if an employee is required to work on an special election day holiday, he/she will be provided sufficient time off in order to vote.

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

To receive pay for any holiday, an employee must, at a minimum, work or be on approved paid leave for his or her full scheduled workday immediately preceding the holiday and at least one quarter hour of his or her scheduled workday immediately following the holiday or vice versa. An employee is not eligible to be paid for any holiday that occurs prior to his or her first day of work or after his or her date of separation.

## **EMPLOYEE DEVELOPMENT**

Southern West Virginia Community and Technical College encourages career development and self-improvement. Full-time regular employees are eligible for time off or adjusted work schedules to attend classes. Eligible employees may be allowed time off during work hours to attend up to one, three hour credit, undergraduate or graduate level class per semester, provided the absence will not interfere with the unit's operation and is approved by the organizational unit administrator. The time for this one three hour credit class does not need to be made up. If more than one approved class is taken, time away from work for the additional classes must be made up during the same week. An adjusted schedule may also be approved for the semester. During emergencies or overtime situations, the employee must work as assigned by the supervisor even if release time had been previously granted. Course work must be taken at Southern or any other regionally accredited institution.

In order to be granted educational release time, classified employees must have completed their probationary period.

The Director of Student Financial Assistance processes tuition waivers for eligible employees, their spouses and children taking classes at Southern. For questions about the tuition waiver program for employees and their dependents see [SCP-5065 Awarding of Undergraduate Tuition and Fee Waivers](#) or call the Student Financial Assistance Office.

Before the semester in which classes are to be taken, the employee is required to provide his/her supervisor a written request for educational release time. The supervisor will then approve or disapprove the release. Copies of this agreement must be endorsed by the unit's executive officer and filed in the employee's personnel file in the Office of Human Resources. See [SCP-2165 Educational Release Time for Classified Employees](#) for more information.

### **Employee Development Policy**

Employees are encouraged to utilize College educational and funding opportunities for career development and self-improvement. An employee, at the discretion of his/her immediate supervisor, based on operational need, may receive time off during scheduled work hours for the purpose of attending educational activities. Occasional in-service training may be required as a term of employment. Supervisors have discretion over requiring employees to attend specified training activities. The [SCP-2624 Employee Development](#) for more information.

## **ADDITIONAL PROGRAMS AND PRIVILEGES**

### **Library Privileges**

Employees may use library facilities, collections, and information services. Contact your campus Library for information about accessing these services.

### **Bookstore**

The Southern West Virginia Community and Technical College Bookstores offer a complete line of trade books, textbooks, school supplies, office supplies, clothing, imprinted items, and miscellaneous items.

### **Parking**

Parking is provided on a first come first served basis for employees and students. Persons parking on college property are required to obey safety and traffic rules and policies.

### **Incentive and Recognition Programs**

Various employee incentive and recognition programs are available at Southern. “[SCP-2226-Faculty Incentive Pay Program](#)” describes options for faculty to propose projects for additional pay. Programs for Faculty of the Month and Classified Employee of the Month are conducted by respective employee organizations described in the next section. In January each year, the President’s Office conducts a program that recognizes employee engagement and involvement in various professional activities and college initiatives. The Human Resources Unit conducts a service recognition program to show appreciation for long term dedicated employees of the College.

## **EMPLOYEE ORGANIZATIONS**

West Virginia Code Chapter 18B, Article 6, entitled “Advisory Councils” calls for the establishment of institutional and state wide advisory councils of classified and faculty employees formed to address any issues affecting the employee groups, and providing a method through which the issues and concerns of the employee organizations will be heard by the Presidents, Boards of Governors, and the Community and Technical College Council. Each institution of higher education is to establish a Classified Staff Council and a Faculty Senate. Each group elects a representative to serve on its respective statewide Advisory Council of

Classified Employees and State Advisory Council of Faculty. The code prescribes the number of times Presidents and Boards of Governors meet with the respective campus employee groups and the number of times the state Council and Commission meets with the state advisory bodies.

Information about Southern's Councils and Senates can be found in the [Institutional Governance System Handbook](#) available on the web.

### **Classified Staff Council**

The Classified Staff Council is an advisory council to the President of the College and a means for all classified employees to express their opinions about job conditions, fringe benefits, employee-employer relations, or other areas that affect their jobs. The Classified Staff Council is composed of elected members from the six major occupational categories and the geographical campus locations. The Classified Employee Representative to the Southern West Virginia Community and Technical College Board of Governors, the Classified Staff Council Chair, and the Classified Employee Representative to the Advisory Council of Classified Employees (ACCE) are elected by the classified staff at large to serve in these posts. In response to the established shared governance at Southern, the Classified Staff Council may appoint classified representatives on College committees and workgroups. The Classified Staff Constitution is a policy available on Southern's Web page. ([SCP1091 – Classified Staff Constitution](#).)

### **Faculty Senate**

The Faculty Senate is an elected representative body of faculty. Its role is to focus on academic matters related to planning, governance, curriculum implementation, or any matter or issue of interest or concern to the faculty. The faculty elects a representative to serve on the statewide Advisory Council of Faculty. In response to the established shared governance at Southern, the Faculty Senate may appoint faculty representatives on College committees and workgroups. The Faculty Senate Constitution is available from the Faculty Senate Chair.

### **Classified Staff Development Committee**

The Classified Staff Council appoints a Professional Development Sub-Committee (PDEV) to oversee the funds provided to classified staff for training and development. Requests for staff development funds should go to the chair of the Professional Development Sub-Committee. The PDEV, Classified Staff Council, or the Office of Human Resources can provide information regarding staff development.

### **Teaching Learning Center Committee**

The committee will provide oversight of the Teaching/Learning Centers (TLC) and make recommendations for the Centers. The committee shall also provide input to other institutional governance committees and units regarding policies and procedures that promote teaching and learning. The committee shall serve as the professional development committee for faculty.

# CLASSIFICATION AND COMPENSATION

## **Classified Staff Classification Determination**

The Director of Human Resources is responsible for the assignment of all Southern West Virginia Community and Technical College classified positions to appropriate job titles and pay grades within the Higher Education Classification System. This system requires that the work performed by employees in classified positions be documented in an official position description. The position description must be updated by the appropriate supervisor, signed by the appropriate administrators and submitted to the Office of Human Resources when posting a vacant position or submitting a position for classification review. If significant changes occur in the essential duties or responsibilities of a classified position, it is the responsibility of the supervisor, through established College procedures, to submit the position to the Office of Human Resources for review. Questions regarding position descriptions, position reviews or job evaluation should be directed to the Office of Human Resources.

Classified employee salaries are governed by the Classified Salary Schedule found in WV Code §18B-9-1 *et seq.*, or by any subsequent salary schedule adopted by the Legislature, Council or the College. A copy of the [classified salary schedule](#) is also available on the Human Resources Intranet.

## **Faculty Compensation Program**

Southern West Virginia Community and Technical College needs highly talented faculty to attain the teaching and learning goals outlined in our institutional commitments in support of our mission. Our faculty compensation system is designed to attract, retain and reward individuals who can help us be a successful institution of higher learning. Details of the [Faculty Compensation Program](#) and the Faculty Salary Schedule can be found on the Human Resources Intranet at <https://sites.google.com/a/southernwv.edu/human-resources/compensation>.

# DISCIPLINARY ACTION

Each employee must maintain standards of performance and conduct as outlined by the immediate supervisor and comply with applicable policies, procedures, and laws. As a general rule, progressive discipline is the approach taken to solve inappropriate employee behavior and performance. Progressive discipline is a graduated approach that gives the employee the choice (and chance) to correct inappropriate behavior and improve performance. It is flexible enough to allow the application of an appropriate level of discipline to the severity of the misconduct. Progressive discipline can start with a non-punitive discussion with the employee to modify the undesired behavior or performance problem, and advance to stronger, punitive measures. In cases of more severe or repeated infractions, more severe discipline measures, such as written warning, suspension or dismissal may be immediate. Supervisors must contact the Director of Human Resources for support, guidance, and consistent application of policy in regard to employee discipline.

When an employee does not maintain the appropriate standards of performance or conduct, his/her supervisor will coach and/or counsel him/her to resolve the problem. If the behavior or

performance does not improve as expected from performance management, disciplinary action will be taken. Disciplinary action includes, but is not limited to warning, demotion, suspension, transfer, or termination of employment. Supervisors must consult with the Director of Human Resources prior to disciplining an employee.

### **Progressive Discipline**

Progressive discipline for unacceptable employee behavior includes communication with the employee to indicate the behavior is not acceptable and clarify expectations. If the behavior is not corrected, or the employee demonstrates additional unacceptable related or unrelated behavior, a letter of warning will be issued to the employee. Failure of the employee to modify behaviors to an acceptable level will result in further disciplinary action, up to suspension and or termination of employment.

### **Progressive Discipline with Plan of Improvement**

Progressive discipline for unacceptable levels of performance starts with communication with the employee to clarify expectations for performance. On occasion, performance problems are the result of inappropriate behavior and will be corrected with progressive discipline described in the above paragraph. However, when an employee fails to meet the performance expectations and behavior based improvements do not resolve the issue; the employee will receive a written warning accompanied with a Plan of Improvement.

The Plan for Improvement is to be delivered in person or by certified mail, and will specify the nature of the nonstandard work; remedial steps the employee must take; a calendar date by which the employee's work will be brought back to standard; and a notification that failure to bring the work back to standard by the date specified will result in dismissal. The plan will establish a date for follow-up review to determine if performance has improved or if further disciplinary action is required.

As discipline progresses, whether due to behavior or performance issues, more severe consequences for failure to comply are imposed. These consequences include but are not limited to suspension, and dismissal/termination of employment.

### **Dismissal After Two Written Warnings**

An employee may be recommended for discharged for offenses after he/she has received two written warnings. The two-written-warnings requirement also applies to transferred or promoted employees serving their probationary periods. When dismissal after two written warning is being considered, the supervisor will provide the employee with an appropriate letter of notification stating that termination of employment is being recommended to the President.

### **Dismissal for Gross Misconduct**

Supervisors have the right to recommend dismissal of an employee for gross misconduct without prior warnings or suspension. Reasons for immediate dismissal for gross misconduct include, but are not limited to the following:

- Reporting to work under the influence of alcohol or narcotics or partaking of these substances while at work;

- Malicious destruction or theft of property of the institution, the Board of Governors, or its visitors, patrons, or employees;
- Wrongful injury to an employee;
- Refusal to comply with institutional rules;
- Neglect of duty;
- Dishonesty;
- Sleeping on duty;
- Failure to maintain established performance standards;
- Habitual absence from work without permission or proper explanation;
- Insubordination by refusal by action or inaction to abide by legitimate reasonable directions of supervisor or administrator;
- Demonstrated incompetence or dishonesty in performance of professional duties, including academic misconduct;
- Conduct that directly or substantially impairs the individual's fulfillment of institutional responsibilities, including but not limited to verified instances of sexual harassment, or of racial, gender-related, or other discriminatory practices;
- Failure to return at the end of a leave of absence.

### **General Disciplinary Action Provisions**

Written warnings are given to the employee with a copy placed in the employee's personnel file. A written warning must specify how long it will remain in the file. In no case can the period specified be longer than twelve months from the date the letter was written.

Written warnings and recommendations to the President for termination are to be delivered in person or via certified mail with return receipt requested. Supervisors will document in-person delivery of disciplinary actions.

In cases of employee suspension without pay or dismissal, prior to the effective date of suspension or termination, the employee will be provided an opportunity to meet with the President to provide explanation and reasons why the suspension/termination should not take place. The President will make the final determination regarding suspension/termination of employment.

### **Employee Response to Dismissal Notification**

If, after a pre-termination meeting with the President or her/his designee, the employee is dismissed for gross misconduct, he/she may respond by filing a written request for a hearing with the West Virginia Public Employees Grievance Board (W.V.A. Code §6C-2-1 *et seq*). A request for such a hearing does not cancel the immediate dismissal.

### **Non-classified Discipline**

Non-classified employees serve at the will and pleasure of the President. Progressive discipline may be utilized for non-classified employees but is not required before suspension or termination.

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

# GRIEVANCE PROCEDURE

Employees may pursue resolution of work-related disputes through administrative appeal procedures, as applicable to the circumstances of the person and the event, act, or behavior challenged. The grievance procedure, eligibility criteria, and the initiation time line are referenced below. Copies of the actual procedures and consultation are available to employees and supervisors by confidential contact with the Office of Human Resources and via the College Intranet. Under all procedures, the employee or the employee's designated representative has the responsibility to clearly indicate that a grievance is being filed, provide an explanation of the issue including the specific policy violation, and the remedy sought for resolution of the issue. Supervisors must contact the Director of Human Resources immediately when a grievance is received.

## **Public Employees Grievance Board**

The statutory grievance procedure is available to all state public employees for resolution of most work-related concerns. Exceptions include pension or other retirement system issues, insurance issues, or matters not within the vested authority of the employer. The grievance process is initiated by the employee's request for conference or a hearing to the chief administrator within 15 working days of the grievable event. The grievant must also submit a copy of the grievance form to the West Virginia Public Employees Grievance Board. A third copy must be sent to the Director of Human Resources. The Grievance Board web site can be found at <http://www.pegb.wv.gov/>. For additional information refer to W. Va. Code § 6C-2-1 et seq. or contact the Office of Human Resources.

# TERMINATIONS

## **Voluntary Termination/Resignation**

Non-exempt employees who intend to resign from their positions are expected to give at least two weeks advanced written notice.

Exempt employees are required to provide a 30 day notice of resignation.

Faculty employees are to complete an academic term and provide forty-five (45) calendar days written notice of resignation before the beginning of an academic term.

The written resignation is to be provided to the President, with copies to Human Resources and the immediate supervisor. In order for an employee to leave with a record in good standing with Southern West Virginia Community and Technical College he/she must: (1) provide advance notice of his/her resignation, (2) return all College property such as keys, equipment, IDs, uniforms, documents, etc., and (3) settle any monetary or other obligations with the College. An employee is expected to work throughout the two-week notice. Employees who do not leave Southern with a record in good standing may be ineligible for reemployment with the College.

## **Retirement**

The Human Resources Department wants to make employee transition from work to retirement a seamless and comfortable experience and provide opportunity for employees to remain connected with the College. Retirement planning starts with an employee's first day of employment. The Human Resources Department recommends the employee start retirement preparations several years before his/her targeted retirement date. For a suggested planning schedule and specific retirement planning and benefit provider contact information, please see our [Retirement Guide and Checklist](#) available in the Human Resources Benefit Office and on the [Intranet](#).

## **Dismissal**

When it is determined by the supervisor that an employee is not meeting performance or conduct standards or fails to comply with legal or policy requirements, dismissal for just cause may occur consistent with the disciplinary procedures. Supervisors must contact the Director of Human Resources for support and guidance in regard to employee discipline.

## **Automatic Termination**

Absence from work for three consecutive work days without proper notice, explanation, and/or authorization will be deemed neglect of duty, job abandonment and automatic resignation from employment.

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

Whenever it is medically, psychologically, or psychiatrically determined that an employee can no longer perform the essential duties of the position and reasonable accommodation cannot be made, the employee will be separated from the College for medical reasons. The employee should investigate what benefit entitlements are applicable. Existing laws and policies will guide the College in protecting the employment and retention rights of disabled employees who are considered otherwise qualified within the meaning of such laws. The Human Resources Office will provide assistance with employee separation for medical reasons.

## **Reduction in Force**

The elimination of any full-time regular position requires the prior written approval of the President. In the event a full-time regular position is eliminated because of lack of funds or work, the College will comply with the requirements of WV Code 18B-7-3. Supervisors are required to consult with the Director of Human Resources for proper layoff management of regular employees. See Southern's reduction in force policies for [classified employees](#) and [faculty personnel](#) on Southern's web page.

## **Terminating Employee Health Insurance Privileges**

On April 7, 1987, federal law adopted the Consolidated Omnibus Budget Act (COBRA). COBRA mandates employers to offer continuation of group health insurance to certain employees who lose coverage. In the case of employee terminations, the law requires the employer to notify the plan administrator within 30 days after the employee's termination of employment. The Public Employees Insurance Agency, not Southern West Virginia Community and Technical College, will notify terminating employees of his or her COBRA rights. The College is required to complete a PEIA health insurance termination form for every PEIA participant who leaves Southern West Virginia Community and Technical College or becomes

ineligible for benefits. Health insurance benefits will terminate at the end of the month after the employee's date of separation. Any employee on a nine-month contract who terminates in May, June, or July, regardless if benefits are escrowed, will be covered by insurance only to the end of the month in which they worked their last day.

### **Date of Termination/Separation**

The "date of termination" or "date of separation" will be recorded as the last day the employee was physically at work. Employees may not be paid any holiday or sick leave pay after the date of separation. The balance of annual leave remaining on the date of separation may be transferred to another agency or paid as specified in the "Employee Leave" section of this Handbook.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF OCTOBER 11, 2012**

**ITEM:** Request for approval of the Southern West Virginia Community and Technical College, *Severance Benefit Plan*, February 21, 2012 to June 30, 2015

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors approve the *Severance Benefit Plan* as a tool to further the programmatic changes necessary for the institution to implement its goals as identified in its 2010-2015 Institutional Compact. The Southern West Virginia Community and Technical College, *Severance Benefit Plan* will be in effect from the date of approval through June 30, 2015.

**STAFF MEMBER:** Samuel Litteral

**BACKGROUND:**

At its February 21, 2012 meeting, the Southern West Virginia Community and Technical College Board of Governors approved the *Severance Benefit Plan*. Since that time, the Consolidated Public Retirement Board and the Public Employee Insurance Agency have requested modifications in the terms of the plan.

The *Severance Benefit Plan* was designed to help Southern West Virginia Community and Technical College address its emerging programmatic needs as identified in its Compact. Eligible faculty and staff will have an opportunity to apply for participation in a severance plan during a specified period extending over 24 months. It will permit the College the flexibility to implement and realize the goals and objectives of its 2010 - 2015 Institutional Compact for Success. Participation in the severance plan is totally voluntary and no faculty or staff member will be discriminated against in any way or by any means if he or she elects not to participate. The entire cost of the plan shall be borne by Southern West Virginia Community and Technical College. The *Severance Benefit Plan* being brought before the Board of Governors is a revised version of the plan approved and offered between fiscal years 2005 and 2010.

Nothing in the plan shall be interpreted as vesting any right or entitlement to participation. If the President finds that acceptance of an applicant into the plan would contribute to implementation of programmatic changes pursuant to the Institutional Compact and or would be in the best interest of the institution, the President at her discretion, may approve an applicant's admission into the plan.

Southern's Director of Human Resources worked closely with the attorneys and administration of the Public Employees Insurance Agency and the Consolidated Public Retirement Board to finalize the plan document. Upon approval of the Board of Governors, the Severance Benefit Plan will be presented to the Education Committee and Joint Legislative Committee on Pensions and Retirement for final approval in November 2012.



*Southern West Virginia Community  
and Technical College*

**SEVERANCE BENEFIT PLAN**

**February 21, 2012 – June 30, 2015**

**Southern West Virginia Community and Technical College  
Approved by the Board of Governors  
February 21, 2012**

**SOUTHERN WEST VIRGINIA  
COMMUNITY AND TECHNICAL COLLEGE  
FACULTY/STAFF SEVERANCE BENEFIT PLAN**

**INTRODUCTION**

The Faculty/Staff Severance Benefit Plan has been designed to help meet emerging programmatic needs and circumstances by providing an opportunity for eligible faculty/staff members to participate in the plan during a specified period.

Participation in the plan is totally voluntary and no eligible faculty/staff member shall be discriminated against in any way or by any means if he or she elects not to participate in the plan.

The entire cost of the plan shall be borne by the institution. No incentive will be granted that imposes costs on the West Virginia Teachers Retirement System (TRS) or the Public Employees Insurance Agency (PEIA) unless those costs are paid entirely by the institution. Such additional costs to TRS shall be calculated and paid in accordance with a Memorandum of Understanding executed between the institution and the Consolidated Public Retirement Board.

The President, or his/her designee, will analyze the financial impact of offering this Severance Benefit Plan, and will be responsible for ensuring that only fiscally responsible offers are made and approved for employees. This analysis shall include an estimate, obtained from each applicable agency, of the required payment for imposed costs on TRS or PEIA, and such estimates may result in a determination that approval of any particular application for participation in the Severance Benefit Plan is not fiscally responsible. Such estimated additional costs to TRS and/or PEIA shall be calculated in accordance with a Memorandum of Understanding executed between the institution and CPRB or PEIA.

**PURPOSE AND INTENT**

It is the intent of Southern West Virginia Community and Technical College to enact the hereinafter described "Severance Benefit Plan" in accordance with WV Code §18B-1-1d, "Retirement and Separation Incentives" as amended.

The Southern West Virginia Community and Technical College Severance Benefit Plan (SBP) is designed to accomplish goals consistent with the College's Institutional Compact, and to fulfill the College's mission to serve students, constituents, and community. It also will foster sound fiscal responsibility and efficiency through use of labor resources in areas of greatest and growing demand.

Furthermore, the College finds there are a multitude of needs that are occurring in the academic arena that call for utilization and reallocation and realignment of personnel resources in order to serve our students and the citizens of the State more effectively and efficiently.

Specifically, the College intends the implementation of its SBP to allow it to reallocate funding and personnel toward the goals and initiatives of its 2010-2015 Institutional Compact for Success.

## SECTION 1

### DEFINITIONS

- 1-1 *Plan* shall mean the Southern West Virginia Community and Technical College Faculty/Staff Severance Benefit Plan as described in the document.
- 1-2 *Participant* shall be any faculty/staff member entering into the plan.
- 1-3 *Eligible Participants* shall be those faculty and staff as defined in Section 2-1.
- 1-4 *Faculty/Staff Member* shall mean a full-time employee whose appointment provides the expectation of continuing employment. For purposes of this plan, a “staff member” is an employee who is benefits eligible, full-time, and a regular classified or non-classified staff employee. For purposes of the plan, a “faculty member” shall include all benefits eligible full-time regular faculty and faculty equivalents (academic professionals).
- 1-5 *Election Window Period* shall mean the 90 day period designated by the president during which eligible faculty/staff may elect an entry date on which they will enter the plan. The faculty/staff member during this period will sign a participation contract as defined in 1-9. After expiration of the “Election Window Period,” there will be no retroactive considerations.
- 1-6 *Plan Payment Period* shall mean a 24 month period from the participant’s plan entry date.
- 1-7 *Plan Entry Date(s)* shall mean June 1 for each fiscal year.
- 1-8 *Years of Service* shall mean West Virginia state service during which the faculty/staff member was benefits eligible at the institution and actually contributing into an authorized and approved state retirement plan. Unpaid leaves of absences are not included. Military service performed between September 16, 1940 and July 1, 1973 can be credited if such service does not exceed 25% of a participant’s total service. (For every 4 years of state service, one year of military service is allowed.) The maximum military service credit cannot exceed 10 years. The military discharge form DD214 can be used to verify military service.
- 1-9 *Participant Contract* shall mean the agreement signed by the faculty/staff member during the “Election Window Period” accepting all the terms, conditions and limitations contained in the plan, including the provisions that his or her election to enter the plan is irrevocable and that the participant waives certain rights of re-employment as stated in 5.7.
- 1-10 *Base Salary* shall mean the fiscal year contract salary in effect the day immediately preceding the faculty/staff member’s plan entry date. The base salary excludes additional pay associated with administrative duties, summer school supplements, awards, overload, research incentives, externally funded supplements, other one-time supplements, overtime and staff annual increments. Receipt of severance benefit payments does not imply a continuing employment relationship beyond the severance period.

- 1-11 *Plan Payment* is the amount of money payable to a plan participant and is based on years of service and a percentage of his/her existing base salary at the time of entry into the plan. (See Appendices). The plan payment provides 48 equal semi-monthly payments.
- 1-12 *Faculty/Staff Severance Benefit Plan Payment Period* is a two (2) year period during which 48 semi-monthly payments are made to plan participants.
- 1-13 *Fiscal Year* shall mean the 12-month period beginning July 1 of each year.
- 1-14 *Medical Insurance* shall mean the West Virginia Public Employees' Insurance Agency (PEIA) medical ~~insurance benefits~~ health coverage.
- 1-15 *Supplemental Medical Insurance* shall mean the institutional supplemental health insurance plan.
- 1-16 *Life Insurance Plan* shall mean the West Virginia Public Employees Agency (PEIA) life insurance benefits applicable to PEIA retiree policies and guidelines as described in Section 7.1.

## **SECTION 2**

### **ELIGIBILITY TO APPLY FOR PARTICIPATION**

- 2-1 Each faculty/staff member shall be eligible to apply for participation in the Severance Benefit Plan by meeting the following criteria by his or her plan entry date.
- at least 59 years of age, and at least 10 years of benefit eligible service at the institution,  
or
  - at least 55 years of age, and a minimum of twenty years of benefit eligible service at the institution,  
or
  - any age with at least 30 years of benefit eligible service at the institution.
- 2-2 Employees separated for disciplinary reasons or terminated for cause are not eligible to participate in the plan.
- 2-3 In some cases, faculty/staff members may not be eligible to participate in the plan if the source of funds for his or her appointment salary is more than 25% from an outside source or any other reimbursable source.

### **SECTION 3**

#### **ACCEPTANCE BY THE PRESIDENT**

3-1 Upon proof of eligibility, the applicants' request for acceptance into the plan shall be presented to the president of the institution for consideration.

If the president finds that acceptance of an applicant into the plan would implement programmatic changes pursuant to and consistent with the Plan's stated objectives, he or she may, at his or her discretion, approve an applicant's admission into the plan if he or she deems it to be in the best interest of the institution. Nothing in this plan shall be interpreted as vesting any right or entitlement to participation in the plan until such acceptance by the president.

### **SECTION 4**

#### **PLAN ENTRY DATE**

4-1 The plan entry date for a faculty/staff member meeting the eligibility requirements shall be specified in the faculty/staff member's participation contract. The faculty/staff member must be actively at work and employed on a full-time basis up until the plan entry date.

4-2 Once the president's approval has been completed as indicated in Section 3, a participation contract must be signed and submitted to the appropriate administrator during the "Election Window Period." Seven working days after submitting the participation contract, the faculty/staff member's election to enter the plan will be irrevocable and final. However, if mutually agreed to in writing by the institution and the faculty/staff member, the latter may subsequently select an earlier, or later, entry date in the plan period for which he or she is eligible.

### **SECTION 5**

#### **FORM, DURATION, AND AMOUNT OF FACULTY/STAFF SEVERANCE BENEFIT PLAN PAYMENT**

5-1 Faculty/Staff Severance Benefit Plan payment is displayed in Table 1.

5-2 The plan payments will be paid over 48 equal semi-monthly installments which are due to begin on the first regularly scheduled pay date in the period which includes the plan entry date. The last semi-monthly installment of the Severance Benefit Plan payments payable to a participant will be paid upon completion of the plan payment period.

5-3 A participant's Severance Benefit Plan payment will not be reduced or offset because of a receipt of any other incomes, pensions, annuities, Social Security benefits or other payments from any source.

5-4 A participant in the Severance Benefit Plan will not have retirement system contributions made and will not accrue retirement service credits during the two year plan payment

period. However, for purposes of employees who participate in TRS, whether such payments are considered a part of salary or compensation related to retirement benefits will be made on a case-by-case basis by the CPRB, based on applicable law.

5-5 Severance benefit payments made to participants who are members of the West Virginia Teachers Retirement System will not be applied to calculations of the retirement benefits formula as participants have contracted to receive specified payments for severing their employment status.

5-6 In the event of the death of the participant during the plan payment period, the present value of the remaining unpaid payments will be paid to the participant's designated beneficiary as a discounted lump-sum. The present value rate will be determined by the 30 year Treasury bond rate which is the "ask yield" \* as reported in *The Wall Street Journal* on December 1, 2011.

\*Yields are calculated on the asked quotation.

5-7 A participant in the Plan shall be ineligible for re-employment by the institution, during or after receiving benefit payments including contract employment in excess of that specified in West Virginia Code.

5-8 The institution reserves the right to set a limit on the number of faculty/staff who can participate in the plan and/or who can begin benefits in any given month. Further the institution reserves the right to limit the maximum amount paid to program participants during any year of the Plan.

## **SECTION 6**

### **MEDICAL HEALTH BENEFITS AND LIFE INSURANCE PLANS**

6-1 All medical health benefits and life insurance coverage for a participant and his or her eligible dependents is contingent upon eligibility guidelines of the Public Employees Insurance Agency (PEIA).

6-2 The institution will continue to provide medical ~~insurance~~ health coverage through PEIA during the Severance Plan period for the participant, his or her spouse, and eligible dependent children. The institution will pay the premium amount equal to the employer's share of the premium at the time of entering the Plan for the 24 month Plan period or less if the premium decreases due to change in dependent coverage; i.e., death, divorce, etc.. The participant is responsible for paying the applicable employee's portion of the premium, and any additional premiums that result from changing or increasing coverage or adding eligible dependents during the Severance Plan Period. Some plan changes may result in lower premiums for the participant. Participant may change their ~~insurance~~ medical health coverage options during the PEIA annual open enrollment periods and/or when a qualifying event occurs during the Severance plan period.

6-3 *Severance Benefit Plan Participants who do not elect, or may not be eligible to retire at the*

beginning, during, or at the conclusion of the Severance Benefit Plan payment period may elect to continue coverage under provisions of the Consolidated Omnibus Reconciliation Act (COBRA). This option requires that the participant pay ~~100%~~ 105% of the medical ~~insurance~~ health coverage premium directly to PEIA for the duration of the COBRA continuation period.

6-4 *For Severance Plan participants who elect to retire* at the beginning, during, or at the conclusion of the Severance Benefit Plan payment period, the institution will pay the premium amount equal to the retiree premium rate at the time of entering the Plan for the remainder of the 24 month Plan payment period or less if the premium decreases due to change in dependent coverage; i.e., death, divorce, etc. The participant is responsible for paying any additional costs that result from premium rate increases, changing or increasing coverage, or adding eligible dependents during the Severance Plan period.

6-5 For the purposes of this plan, “retire” means that the participant elects to draw some form of regular benefit payments from their respective retirement plan or plans, the amount of which is not designated. Such retirement is a requirement of the PEIA to elect to use accrued years of teaching service and/or accumulated annual/sick leave balances to continue medical ~~insurance~~ health coverage. The use of such years of teaching service or leave balances cannot be deferred after the end of the Severance Benefit Plan payment period for use at a later time. To “retire” under PEIA means the participant must also meet the requirements as set forth by the PEIA and the TRS/CPRB.

6-6 Severance Plan participants with medical ~~insurance~~ health coverage through PEIA must report any changes in status that may affect his or her health ~~insurance~~ coverage, (i.e., marriage, divorce, death of spouse, birth/adoption of child, etc.) A participant who fails to report a change in status that would have resulted in a lower cost to the institution will be responsible for repaying the additional cost for those premiums. If a spouse and/or dependent child ceases to be an eligible dependent, coverage may be elected under PEIA’s COBRA provision. The full cost of COBRA coverage is the responsibility of the participant’s spouse and/or dependent children. (For example, a spouse would become ineligible after divorce from the participant.)

6-7 Extension of medical ~~insurance~~ health coverage provided by the Severance Benefit Plan is in addition to any extension of coverage at retirement calculated by using years of teaching service or accumulated sick and/or annual leave.

6-8 Other options for medical ~~insurance~~ health coverage continuation may become available during the Severance Benefit Plan payment period due to recently enacted healthcare reform legislation or administrative directive. In the event an option for continuation of medical ~~insurance~~ health coverage beyond the end of the Severance Benefit Plan payment period becomes available for those participants who do not or are not eligible to retire during or at the end of the Severance Benefit Plan payment period, the College shall offer such option or options to the participant. Costs, premiums, and the duration, of any such medical plan continuation options as may hereafter become available, shall be determined at the time of enrollment as well as any possible contribution by the College toward total premiums during the period of continuation.

**SECTION 7**

**PEIA LIFE INSURANCE PLAN**

7-1 Each participant may be covered during the faculty/staff severance benefit plan period by the PEIA basic group life insurance policy. If the participant has optional group life insurance coverage at the time of his or her entry date, the participant may elect to continue the optional coverage at the applicable rate at his/her own expense during the severance benefit plan period subject to PEIA eligibility rules.

**SECTION 8**

**PEIA DEPENDENT GROUP LIFE INSURANCE**

8-1 Dependent group life insurance may be converted to a non-group private policy at the time the faculty/staff severance benefit plan begins subject to PEIA eligibility rules and availability. The employee pays the full premium.

**SECTION 9**

**VESTING**

9-1 A participant shall become fully vested at 12:01 a.m. on the last day prior to the plan entry date.

**SECTION 10**

**ADMINISTRATION OF PLAN**

10-1 The Plan shall be administered by the institution.

**SECTION 11**

**FUNDING**

11-1 All faculty/staff severance benefit plan payments shall be made by the institution in accordance with the plan provisions.

**SECTION 12**

**AMENDMENT**

12-1 The Plan may be amended from time to time by the institution; provided, however that no such amendment shall change the amounts specified in Sections 5 through 10 for existing participants of earlier plans.

## **SECTION 13**

### **NON-ALIENATION**

13-1 No faculty/staff severance benefit plan payments payable under the plan shall be subject in any way to alienation, assignment, pledge, attachment, garnishment, execution, or encumbrance of any kind and any attempt to accomplish the same shall be void to the extent permitted by law.

## **SECTION 14**

### **GOVERNING LAW**

14-1 The plan shall be governed by the laws of the State of West Virginia and the United States of America.

14-2 If any provision of this plan is determined to be unlawful, that provision shall be severed and the remainder of the plan shall continue to force; provided, however, the total value of all benefits to the participant will not be reduced in any case. If such changes occur prior to the participant's entry date, the participant may choose to revoke his or her participation contract.

## **SECTION 15**

### **TAX CONSEQUENCES**

For purposes of withholding and reporting taxes, the institution will treat severance payments as wages. They will be reported on form W-2 and will be subject to withholding of federal and state income taxes and FICA (Social Security) taxes.

The institution recommends that each faculty/staff member who is considering participating in the plan discuss the consequences of participation with his/her tax advisor or financial planner. In particular, if any faculty/staff member who is eligible for Social Security benefits should discuss with his/her advisor at his/her local Social Security Office whether payments under this program are counted as earnings which could affect the payment of Social Security benefits.

The IRS has rules which govern withholding for programs such as this one. If the IRS changes the rules, the institution will change its withholding policies accordingly.

## **SECTION 16**

### **REPORTING**

Once a Faculty/Staff Severance Benefit Plan is implemented at Southern West Virginia Community and Technical College, the College will report the results of implementation on a quarterly an annual basis to the Chair of the Joint Legislative Committee on Pensions and Retirement as well as to ~~and~~ the Chancellor of the Community and Technical College System of

~~West Virginia, the results of implementation.~~ At a minimum, the following information will be provided:

- 1 A listing of the faculty and staff positions, including base salaries, participating in the plan.
- 2 The severance payment attributed to each of the participating positions.
- 3 The plan implementation date for each of the participants.
- 4 Replacement status, and cost where applicable, for each of the positions.
- 5 A five year financial forecast on results expected, based on actual participation and projected levels of replacement.

**TABLE 1**

**SOUTHERN WEST VIRGINIA  
COMMUNITY AND TECHNICAL COLLEGE**

**SEVERANCE BENEFIT PAYMENT  
(24 MONTH PAYOUT)**

<u>YEARS OF SERVICE</u>	<u>PERCENT OF BASE SALARY PAID</u>
10	40
11	42
12	44
13	46
14	48
15	50
16	52
17	56
18	60
19	64
20	68
21	72
22	76
23+	80

**APPENDIX A**

**SEVERANCE BENEFIT PAYMENT ILLUSTRATION**

Participant "A"

Date of Birth:	03/01/51
Plan Payment Period:	07/01/2012 through 6/30/2014
Age as of Entry Date:	60
Contract Salary:	\$35,000
Years of Service:	18
Percent of Base Salary:	60%
Total Payout Over Two Years:	$60\% \times \$35,000 = \$21,000$
Semi-Monthly Payment:	$\$21,000 / 48 \text{ pays} = \$437.50$

Note: The above illustration does not reflect Income Tax and Social Security Tax calculations.

**APPENDIX B**

**SEVERANCE BENEFIT PAYMENT ILLUSTRATION**

Participant "B"

Date of Birth:	07/01/48
Plan Payment Period:	07/01/2012 through 6/30/2014
Age as of Entry Date:	63
Contract Salary:	\$49,000
Years of Service:	24
Percent of Base Salary:	80%
Total Payout Over Two Years:	$80\% \times \$49,000 = \$39,200$
Semi-Monthly Payment:	$\$39,200 / 48 \text{ pays} = \$817$

Note: The above illustration does not reflect Income Tax and Social Security Tax calculations.

**SOUTHERN WEST VIRGINIA COMMUNITY  
AND TECHNICAL COLLEGE**

**Faculty/Staff Severance Benefit Plan  
Participant Contract**

WHEREAS: Pursuant to the findings, directives, goals, and objectives of the West Virginia Legislature set forth in W. Va. Code §18B-1-1a, and the provisions concerning retirement and separation incentives set forth in §18B-1-1d, Southern West Virginia Community and Technical College has determined that a policy offering incentives for voluntary early retirement of employees, or voluntary separation from employment, is necessary to effectively implement programmatic changes.

WHEREAS: In consideration of the aforementioned legislative provisions, Southern West Virginia Community and Technical College has created a Faculty/Staff Severance Benefit Plan, which has been approved by the Board of Governors and the Legislative Joint Committee on Pensions and Retirement and has been adopted as part of the institutional Master Plan and Compact for Success of Southern West Virginia Community and Technical College.

WHEREAS: \_\_\_\_\_(hereinafter “Participant”) has submitted an application to participate in the Southern West Virginia Community and Technical College Faculty/Staff Severance Benefit Plan (hereinafter “Plan”).

WHEREAS: Because the President of Southern West Virginia Community and Technical College has determined that acceptance of Participant into the Plan would implement programmatic changes effectively pursuant to the expressed intent of the West Virginia Legislature set forth in the above-referenced statutory provisions, and has deemed such acceptance to be in the best interest of Southern West Virginia Community and Technical College, the President has approved Participant’s application to participate in the Plan. Participant understands that there is no entitlement or right to participate in such Plan until such acceptance and approval of the institutional president.

WHEREAS: The institution, Southern West Virginia Community and Technical College, and Participant have reached an agreement to allow Participant to participate in the Plan. This Faculty/Staff Severance Plan Participant Contract between the College and Participant embodies the terms and conditions upon which Participant shall participate in the Plan, effective the \_\_\_\_\_day of \_\_\_\_\_, in the year \_\_\_\_\_.

WHEREAS: The Faculty/Staff Severance Plan Participant Contract expressly incorporates herein the definitions, terms, and conditions set forth in Section 1 of the Plan.

**WHEREFORE, in consideration of the above, Southern West Virginia Community and**

**Technical College and Participant agree as follows:**

1. Election. In consideration of the benefits that Participant will receive under the Plan, Participant hereby accepts and agrees to participate therein, subject to all the terms, conditions, and limitations contained therein. Participant hereby acknowledges receipt of Participant's copy of the plan, and acknowledges that Participant's Plan Entry Date is the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_.
2. Voluntary Agreement. Participant has read and fully understands this Participant Contract and has had an adequate opportunity to ask questions about the Plan. Participant has been advised in writing to discuss the consequences of participation in the Plan with participant's tax advisor or financial planner and to seek legal counsel in connection with participation in the Plan. Participant is acting voluntarily of his or her own free will in executing this Participant contract. Participant acknowledges that at least twenty-one (21) days have passed since receiving the above-referenced written advice.
3. Irrevocability. Participant understands that seven working days after execution of this Participant Contract, Participant's election to enter the Plan will be irrevocable and final. Participant also understands that he or she may revoke this election to enter the Plan any time prior to the passing of seven working days from the execution of the Participant Contract. However, if mutually agreed to in writing by Southern West Virginia Community and Technical College and Participant, Participant may subsequently select an earlier or later Entry Date in the Plan Period for which Participant is eligible.
4. Waiver. Participant agrees that by participating in the Plan, Participant shall be ineligible for re-employment by the institution during or after receiving severance benefit payments. Participant agrees that by participating in the Plan the participant has contracted to receive specified payments for severing their employment status during or at the conclusion of the severance payment period.
5. Release and Waiver: As consideration for participation in the Plan, Participant knowingly and voluntarily releases and waives any rights, claims or causes of action arising out of Participant's employment with Southern West Virginia Community and Technical College, including, but not limited to, claims under Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967 (ADEA) and its 1990 amendments effected by the Older Worker Benefit Protection Act (OWBPA), the West Virginia Human Rights Act, and other federal, state, and local statutes, ordinances, executive orders and regulations prohibiting discrimination in employment covering a period of time up to the date of this Participant Contract. Provided, however, nothing set forth herein shall constitute a release or waiver by Participant of any claims that have been filed and that are formally pending as of the date of this agreement. Participant does not waive rights or claims that may arise after the date Participant signs the Participant Contract. **Note: This paragraph involves important legal rights. The Participant is advised to consult an attorney prior to signing the Participant Contract. By signing this Participant Contract, Participant acknowledges that a period of 21 days have**

been afforded to consider the terms of the Participant Contract. Participant may revoke the decision to enter into the Participant Contract within a period of 7 days after the Participant Contract has been signed by Participant. The Participant Contract shall not become effective or enforceable until the revocation period has expired.

6. Designated Beneficiary. In the event of Participant's death during the Plan Payment Period, the Participant's designated beneficiary is \_\_\_\_\_.

Executed by the undersigned this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Participant Name - Please Print)

\_\_\_\_\_  
Participant's Signature

\_\_\_\_\_  
(Social Security Number)

\_\_\_\_\_  
Signature Chief Financial Officer

\_\_\_\_\_  
Signature President - Southern West Virginia Community & Technical College

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF OCTOBER 11, 2012**

**ITEM:** 2007-2008 Board of Governors Goals

**RECOMMENDED RESOLUTION:** For Discussion Only

**STAFF MEMBER:** Joanne Jaeger Tomblin

**BACKGROUND:**

At its April 24, 2007 meeting, the Board of Governors unanimously adopted the following Board goals of which two are included on the annual Board of Governors Self-Assessment survey:

1. One hundred percent participation in the Vision 2020 Major Gifts Campaign.
2. Increase Board participation at College activities and events. Each Board member will try to attend a minimum of three events annually.
3. Finalize Strategic Goals for the College.
4. Board members will participate in professional development and training at the state and national levels when available.

At its February 19, 2008 meeting, the Board unanimously adopted the 2008-2010 Strategic Goal statements developed by the Board of Governors Committee on Strategic Goals which remain effective until June 30, 2010, or until such time when a new Institutional Compact is required by the West Virginia Council for Community and Technical College Education. The 2008-2010 Strategic Goals for Southern are as follows:

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
Strategic Goals 2008-2010**

Strategic planning is creating a vision for the future and managing toward that vision. It is a process for aligning short-term decisions with long-term goals. Southern's strategic plan shapes and guides who we are, what we do, and why we do it, all with a focus on the future. Our strategic plan helps us achieve long-term goals by focusing our energy, by ensuring that we are all working toward the same end, and by allowing us to assess and adjust the College's direction in response to changes. Southern's strategic plan sets forth our reason for being, defines the critical issues, establishes a vision, sets measurable objectives, and, most importantly, prioritizes strategies for achieving our vision.

## **Strategic Goals**

**Goal 1:** Southern will expand its role in meeting the identified educational and training needs of the district by reviewing existing programs and services as well as developing new academic and entrepreneurial programs.

**Desired State:** *Students receive an educational experience which enables them to achieve work, career and personal success while business, industry and other clients receive quality training and continuing education programs that meet their needs.*

**Goal 2:** Southern will increase the amount of financial assistance available to eligible students from both public and private resources.

**Desired State:** *While at Southern, eligible students, with demonstrated need, receive financial assistance at a level that allows them to reach their stated educational goals.*

**Goal 3:** Southern will increase its visibility at the local, state, regional, national, and international level through effective marketing.

**Desired State:** *Because of its increased visibility, quality programs and services, Southern will be the first choice in the district for education and training.*

**Goal 4:** Southern will improve and maintain its physical facilities at all campus locations and instructional sites through implementation of a comprehensive capital improvement plan.

**Desired State:** *Facilities at all campus locations are of such quality and functionality to enable the institution to fulfill its stated mission, vision, and goals.*

As a result of reaching these strategic goals and attaining its desired state, ***Southern will be an integral and active partner in the educational, social, cultural and economic development of the region thereby enhancing the quality of life for the citizens of the district.***

*Approved 02/19/2008  
Southern West Virginia Community and Technical College Board of Governors*