



OAKLAND
COMMUNITY
COLLEGE

EXEMPT
ADMINISTRATIVE
AND
MANAGEMENT
STAFF
HANDBOOK

2003 - 2005

TABLE OF CONTENTS

ORGANIZATION DESCRIPTION PAGE NO.

1.	Mission Statement.....	1
2.	OCC Vision/Value Statement.....	1
3.	Purposes.....	1
4.	Equal Employment Opportunity.....	2
5.	Equal Opportunity Complaint Procedure.....	2
6.	Employee Teaching.....	2
7.	Exempt Administrative and Management Staff Employees.....	3

EMPLOYEE BENEFIT PROGRAM FOR EXEMPT ADMINISTRATIVE AND MANAGEMENT STAFF

8.	Employee Benefits.....	4
9.	Vacation Benefits.....	4
10.	Holidays.....	6
11.	Dependent Care and Medical Expense Accounts.....	7
12.	Sick Leave Benefits.....	7
13.	Bereavement Leave.....	8
14.	Personal Business Days.....	8
15.	Jury Duty.....	8
16.	Professional Development Training Center.....	9
17.	Trustee Tuition Grants.....	9
18.	Tuition Reimbursement Program.....	10
19.	Retirement/MPSERS.....	10
20.	Retirement/Optional Retirement Plan.....	12

EMPLOYEE COMPENSATION FOR EXEMPT ADMINISTRATIVE AND MANAGEMENT STAFF

21.	Exempt Administrative and Management Staff.....	13
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TIMEKEEPING/PAYROLL

22.	Timekeeping.....	14
23.	Paydays.....	14
24.	Direct Deposit.....	14
25.	Pay Advances.....	15
26.	Pay Corrections.....	15
27.	Pay Deductions and Setoffs.....	15

WORK CONDITIONS AND HOURS **PAGE NO.**

28. Work Schedules16
29. Overtime16
30. Smoking in College Facilities.....16
31. Emergency Closings16
32. Family and Medical Leaves of Absence.....17
33. Sabbatical Leave19
34. Military Leave.....19
35. Pregnancy-Related Absences.....20
36. Leave of Absence Without Pay (Board Policy 2.3.4).....20
37. Dispute Resolution Policy (Board Policy 2.5.1).....21
38. Dispute Resolution Procedure.....21

EMPLOYEE CONDUCT AND DISCIPLINARY ACTION

39. Sexual and Other Unlawful Harassment (Board Policy 0.0.2)24
40. Sexual Harassment Regulations.....24
41. Equal Opportunity/Sexual Harassment Complaint Procedure.....25
42. Equal Opportunity Regulations.....27
43. Drug Free Environment28
44. Employment Termination28

CLASSIFICATION SCHEDULE32

PERSONNEL COMPLAINT FORM.....33

INTRODUCTORY STATEMENT

The Exempt Administrative and Management Staff Handbook is designed to provide information about working conditions, employee benefits, and relevant board policies affecting the employment of Exempt Administrative and Management Staff.

In case of conflict between this document and Board policy statements or established past practices, the Board policy statements shall prevail.

Any questions regarding the provisions of this handbook should be referred to the Human Resources Department.

ORGANIZATION DESCRIPTION

1. Mission Statement

Oakland Community College is a student-centered institution which provides quality learning opportunities for individuals, communities, and organizations on an accessible, affordable basis.

2. OCC Vision/Value Statement

Oakland Community College is a dynamic, accessible, learning-centered community dedicated to excellence. This community values:

- Shared responsibility, open communication, collaboration;
- Personal empowerment, integrity, ethical commitment;
- Diversity, global awareness, responsiveness to community needs.

3. Purposes

Oakland Community College provides quality:

- Educational experiences enabling students to transfer to other institutions of higher education.
- Occupational and technical learning opportunities to improve student's employability.
- Community services, including cultural, social, and enrichment opportunities for lifelong learning.
- Opportunities in development education to prepare students for college-level studies.
- Workforce development training and learning opportunities to meet the needs of business and industry.
- General education opportunities enabling students to learn independently and develop skills for personal and career success.

4. Equal Employment Opportunity

Oakland Community College does not discriminate against applicants, employees or students on the basis of race, religion, color, national origin or ancestry, sex (including sexual harassment), age, height, weight, marital status, sexual orientation, Vietnam era veteran status or disability, nor will sexual harassment be tolerated in its employment practices and/or educational programs or activities. Those concerned about the above should contact the Equal Opportunity Compliance Office, Oakland Community College, 2480 Opdyke Road, Bloomfield Hills, Michigan, 48304-2266; (248) 341-2034.

5. Equal Opportunity Complaint Procedure

Exempt Administrative and Management Staff who feel they have been subjected to discrimination or harassment based upon race, religion, color, national origin or ancestry, age, sex (including sexual harassment), age, height, weight, marital status, sexual orientation, Vietnam era veteran status, or disability, nor will sexual harassment be tolerated in its employment practices and/or educational programs or activities. Those concerned about the above should contact the Equal Opportunity Compliance Officer, Oakland Community College, 2480 Opdyke Road, Bloomfield Hills, Michigan, 48304-2266; (248) 341-2034, within ten (10) working days of the act(s) of which the person complains.

6. Employee Teaching

Full-time Exempt Administrative and Management Staff may teach part-time at the College provided they meet the required minimum qualifications as identified in the Faculty Master Agreement. Part-time teaching by full-time College employees (other than full-time faculty) is limited by the Faculty Master Agreement.

In addition, Administrators may teach no more than two (2) classes per academic year for Oakland Community College.

Rates of pay for part-time teaching by full-time College employees vary but are governed by a pay formula. Those wishing to teach on a part-time basis should contact the Human Resources Department for an explanation of the contractual restrictions, qualifications, process, and pay formula.

Full-time employees who wish to teach part-time at the College must have the approval of the appropriate faculty department and notify the immediate supervisor.

7. Exempt Administrative and Management Staff Employees

A. Officers of the College

The officers of Oakland Community College shall be the Chancellor and those members of the Chancellor's Council who report directly to the Chancellor.

B. Exempt Administrative and Management Staff

The terms "Exempt Administrators and Exempt Management Staff" shall include, in addition to the Officers of the College, members of the Chancellor's Council, Management Staff who report directly to the Chancellor or members of the Chancellor's Council, Administrative Staff who report to the Chancellor, the Controller, Human Resources staff, Public Safety employees (except those organized under the Public Safety Master Agreement) and confidential employees.

EMPLOYEE BENEFIT PROGRAM FOR EXEMPT ADMINISTRATIVE AND MANAGEMENT STAFF

8. Employee Benefits

The college prepares a Compensation Benefits Profile for all full-time Exempt Administrative and Management Staff employees and distributes the information annually. The profile shows various benefit coverages and their monetary value. Questions regarding benefits can be addressed to the Human Resources Specialist serving a particular site.

Details regarding benefits, i.e., medical, dental, vision, and other income stabilization plans, can be found in the respective group FLEXCOMP booklet. The FLEXCOMP booklet covers the following programs in precise detail:

- Medical Plan Programs/Options
- Dental Plans/Options
- Vision Plans/Options
- Term Life and AD&D Insurance/Options
- Short Term Disability/Options
- Long Term Disability/Options
- Whole Life Insurance/Options
- Flexible Spending/Reimbursement Account
- Tax Deferred Options 403(b)

Please contact the Human Resources Department with any questions regarding information contained in the FLEXCOMP booklet.

Each Exempt Administrative and Management Staff member will cost share 10% of the premium for the medical plan elected.

9. Vacation Benefits

The immediate Supervisor shall give prior approval for scheduled vacation.

Exempt Administrative and Management Staff receive vacation benefits as follows:

A. Officers and Administrators

Full-time Officers and Exempt Administrators shall be entitled to annual vacation allowances at the rate of two days per month up to a total of twenty-four (24) days per year. Vacation accrued but not taken may be carried forward to the next contract period to a maximum of forty-eight (48) days.

i. Effect of Employment as a Faculty Member.

Officers or Exempt Administrators who have received approval from the Board of Trustees to terminate their administrative positions during the course of an academic year in order to become members of the faculty will receive compensation for all the earned vacation days in their accumulated banks prior to employment as faculty members at their regular pay rate.

B. Exempt Management Staff

Full-time Exempt Management Staff shall be entitled to annual vacation allowances at the following rates:

<u>Period of Employment</u>	<u>Vacation Allowance</u>
0 through 12 months	One (1) day per month, not to exceed ten (10) days
12 mos. through 60 mos.	One and-a-half (1-1/2) days per month to a maximum of eighteen (18) days
61st month and above	Two (2) days per month to a maximum of twenty-four (24) days

The date of initial employment or hire with the College shall be used for computation purposes. Vacation accrued but not taken may be carried forward to the next contract period to a maximum of forty-eight (48) days.

C. Termination

In the event that employment is terminated, either voluntarily or involuntarily, the Officers or Exempt Administrative and Management Staff shall receive compensation in cash at their annual salary rates for any accrued and unused vacation days to a maximum of twenty-four (24) days. Any additional vacation days which the Officers or Exempt Administrative and Management Staff may have accrued beyond the twenty-four (24) days must be taken between the date of notification of termination and the date upon which the termination becomes effective. If it is impossible for any reason to take or use all of said vacation days, unused days shall be forfeited.

In the event that employment is terminated, either voluntarily or involuntarily, and the Officers or Exempt Administrative and Management Staff have used vacation days in excess of those earned, the overpayment shall be deducted from their salary checks at their current contractual salary rates.

D. Death

In the event that Officers or Exempt Administrative and Management Staff of the College should die while actively employed, the College shall compensate the estate in an amount equal to the number of earned vacation days in the deceased's accumulated banks at the time of death.

10. **Holidays**

Exempt Administrative and Management Staff shall be granted holiday time off on the holidays listed below:

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (third Monday in January)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Thanksgiving Day (fourth Thursday in November)
- Day after Thanksgiving
- Christmas Eve (December 24)
- Christmas (December 25)
- New Year's Eve (December 31);

and any other holidays that the Board of Trustees declares or designates as legal holidays.

Whenever any of these holidays fall on the sixth and/or seventh day of the employees' regular work week, and state authorities transfer its observance to another day, that day shall then be considered the holiday.

The Chancellor has the discretion to identify up to two (2) additional paid leave days per fiscal year. The Human Resources Department will post an announcement at each College location approximately two (2) weeks prior to the additional paid leave day.

11. Dependent Care and Medical Expense Accounts

All Exempt Administrative and Management Staff are covered by FLEXCOMP. Those individuals covered by FLEXCOMP have the following option:

Flexible Spending/Reimbursement Accounts

- Dependent Care Account
- Medical Expense Account

Employees choose benefits (including medical and dependent care) from a list of options and contribute a part of pre-tax salaries to a dependent care or medical expense account. This option allows employees to minimize the federal tax they must pay for dependent care and medical expenses.

12. Sick Leave Benefits

Exempt Administrative and Management Staff of the College earn Sick Leave as follows:

Paid sick leave shall be available to Exempt Administrative and Management Staff at a rate of one (1) day per month. There is no limit to Sick Leave accumulation. In the event of a sustained illness or injury, an employee may utilize his/her bank of sick leave for the extent of the illness (if the employee's bank has sufficient number of sick days) or the employee may opt to initiate Short-term Disability Benefits (see Benefits) at the 15th consecutive calendar day of illness or injury. Should the absence due to illness or injury extend beyond a period of 90 calendar days, said employee may opt to initiate Long-term Disability (see Benefits) at the 91st consecutive calendar of illness or injury. An employee absent over ten (10) consecutive working days because of illness or injury, shall have a physician's certificate substantiating his/her absence and authorizing the employee to return to work prior to return. An employee will not be paid for unused sick leave.

13. Bereavement Leave

Exempt Administrative and Management Staff who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

OCC defines “immediate family” as the employee’s spouse, mother, father, son, daughter, brother, sister, mother-in-law, father-in-law, grandparents, spouse’s grandparents, grandchildren, or any relative living in the employee’s immediate household.

Paid bereavement leave for a period of three (3) days with pay shall be available to the employee in the case of death of any member of the employee’s or spouse’s immediate family (children, parents, siblings, grandparents, grandchildren.) In special circumstances, bereavement may be extended to the employee in the case of death to significant others who have either lived with the employee for a period of years or who have provided an *in loco parentis* relationship over the years.

In addition, under extenuating conditions, additional leave with or without pay beyond the three (3) days may be approved by the Chief Human Resources Officer or his/her designee. Requests for an extension of bereavement must be initiated prior to the third day of leave. The request for extension may be verbal and may be initiated through the immediate supervisor to Human Resources for approval. Upon the employee’s return, the request shall be submitted in writing to Human Resources.

14. Personal Business Days

Paid personal business leave shall be available to the employee at the rate of three (3) days per year. Personal business leave shall, in most instances, be requested of the immediate supervisor in advance of the requested day of leave. The advance request time may vary depending upon the reason(s) for the personal business leave. Personal business leave not requested in advance may be denied at the discretion of the supervisor and result in loss of pay for the day. Personal business leave is not cumulative, but is available on a year-to-year basis. An employee will not receive pay for unused personal business leave.

15. Jury Duty

OCC encourages its personnel to fulfill their civic responsibilities by serving jury duty when required.

Personnel must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.

OCC will continue to provide Exempt Administrative and Management Staff's pay and benefits for the full term of the jury duty absence. It is the employee's responsibility to reimburse the College for any payments received for jury duty, less mileage.

16. Professional Development Training Center

The College provides opportunities for staff to participate in staff development activities. Information about programs offered can be found on the InfoMart. Each exempt employee shall complete staff development activities as directed by the immediate supervisor. Individuals may request supervisory approval to attend other staff development activities through the PDTC.

17. Trustee Tuition Grants

All full time Exempt Administrative and Management Staff of the College may attend classes at the College which are offered at hours outside of their assigned responsibilities without the payment of tuition and fees, since in-service training and growth is of benefit to the College.

Trustee Tuition Grants to Employees - Procedure

To apply and receive Trustee Tuition Grants, full-time employees or spouses or dependent children residing at home shall take the following steps:

1. Obtain the Employee/Dependent Tuition Authorization Affidavit form. The forms will be available at each campus in Enrollment Services and the Business Office.
2. For dependents, the Employee/Dependent Tuition Authorization Affidavit form must be completed and signed by both the employee and their dependent every semester.
3. For employees, the Employee/Dependent Tuition Authorization Affidavit form must be completed and signed only the first time they take classes at OCC beginning with the Summer 2002 semester unless their classification changes.
4. The employee/dependent will give the completed Affidavit form to a Student Services Specialist, (SSS) **before** the payment deadline.
5. The SSS will update the employee/dependent student record in order to have the eligible tuition and associated fees waived.

6. The employee/dependent will go to the cashier's office **only if there is a remaining balance due.**
7. The SSS will forward the Affidavit to the Human Resources Department who will verify the information.

While educational assistance is expected to enhance employees' performance and professional abilities, OCC cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

18. Tuition Reimbursement Program

Full-time Exempt Administrative and Management Staff are entitled to tuition reimbursement for course work at other institutions. All course work must be normally taken outside of regular work hours on the employee's own time. Tuition reimbursement shall be for tuition only and shall not include reimbursement for books, fees, or any other related expenses.

Effective July 1 of each fiscal year, the Board shall appropriate \$7,500 in its operating budget each fiscal year to be used to pay Exempt Administrative and Management Staff members' tuition for course work at other institutions. The course work or program of study must be pertinent to the needs of the College and/or duties of the employee and must be taken at an accredited institution of higher education. The course work must provide the employee with additional areas of competence.

The maximum total of tuition paid to any individual will be equal to \$350 per credit hour up to a maximum of \$2,500 per academic year. If tuition and fees are less than \$350 per credit hour, reimbursement will be for the amount of the actual receipt. The maximum payable tuition reimbursement in any single fiscal year shall be \$7,500 for the entire group. Once this amount is depleted, no further funds are available for the academic year. Tuition monies not utilized will not carry over to the next fiscal year.

19. Retirement/MPERS

College employees are eligible to participate in the Michigan Public School Employees Retirement System (MPERS). The College contributes to an employee's retirement on a continuous basis. Rules regarding length of service, eligibility, vesting, final average earnings, etc., are found in the MPERS Guidelines booklet available through either the Human Resource Department or the MPERS office. General discussion and information regarding the pension plan or system can be obtained from the Human Resources Specialist serving a particular site. Detailed information and retirement counseling should be addressed to the MPERS office.

Information pertaining to MPSERS is complex but absolutely vital to your future financial planning and well-being. Employees are urged to review the MPSERS information, discuss it with the Human Resources Specialist serving a particular site, and to contact the MPSERS office at any time with questions or concerns.

The College does not offer, engage in, provide or suggest, in any manner, financial advice. Employees are urged to review your financial planning and future needs with your tax consultant, financial adviser, or attorney.

20. Retirement/Optional Retirement Plan

The listed below provisions shall be included as part of the Oakland Community College optional retirement plan as required by Public Act 296 of 1994. This statute mandates that the College offer a defined contribution retirement plan for full-time faculty and Administrative and Management Staff as an option to the defined benefit retirement plan through the Michigan Public School Employees Retirement System (MPSERS).

PLAN PROVIDER:	Teachers Insurance and Annuity Association College Retirement Equities Fund (TIAA-CREF)						
RATING:	A++ (Superior)						
EFFECTIVE DATE:	April 1, 1997						
90-DAY WINDOW:	First 90 calendar days of employment						
ELIGIBILITY:	Full Time Faculty, Supervisors and Managers						
CONTRIBUTIONS:	Employer: 11% Employee: The employee's contribution rate shall be equal to the MIP contribution rate, which is currently: <table><tr><td>First \$ 5,000 of salary</td><td>3.0% of gross wages</td></tr><tr><td>\$5,001 through \$15,000</td><td>3.6% of gross wages</td></tr><tr><td>Over \$15,000</td><td>4.3% of gross wages</td></tr></table>	First \$ 5,000 of salary	3.0% of gross wages	\$5,001 through \$15,000	3.6% of gross wages	Over \$15,000	4.3% of gross wages
First \$ 5,000 of salary	3.0% of gross wages						
\$5,001 through \$15,000	3.6% of gross wages						
Over \$15,000	4.3% of gross wages						
VESTING:	Full/Immediate						
SELECTION OF ACCOUNTS:	Seven account choices selectable by the Employee						
WITHDRAWAL RULES:	Cash or annuity - 100% at age 55 or older						
TRANSPORTABILITY:	Nationwide						
HEALTH, DENTAL, VISION:	None						

EMPLOYEE COMPENSATION FOR EXEMPT ADMINISTRATIVE AND MANAGEMENT STAFF

21. Exempt Administrative and Management Staff

Administrative and Management Staff personnel are hired at no higher than Step 5 of the current salary schedule; the Chancellor's written approval is required for any starting salary above Step 5. Exempt Administrative and Management Staff personnel who are hired after January 1st will not be entitled to step advancement during the following fiscal year. See pages 30-32 for the current job classification and salary schedule.

Promotions within the Administrative and Management Staff units will be accompanied by a pay increase separate and distinct from any general increase. The promotional increase will be at a step that represents a minimum of a ten (10) percent increase of the incumbent's current base pay. The Chancellor's prior approval is required for the promotional increase to exceed ten (10) percent. However, the promotional increase cannot exceed the maximum amount of the last step of the classification salary grade.

An interim assignment is a temporary assignment wherein an incumbent assumes, on a temporary basis, a position/title within a higher salary range than the incumbent's existing position/title. Such an assignment for less than thirty (30) calendar days will not have a salary adjustment. Salary for an interim assignment of 30 days or more will be at a Step that represents a minimum of 10% of the employee's current base pay.

TIMEKEEPING/PAYROLL

22. Timekeeping

Accurately recording time worked is the responsibility of every employee. Federal and State laws require OCC to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Hourly employees should accurately record the time they begin and end their work each day. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Time Exception Reports for Exempt Administrative and Management Staff employees shall be submitted on a monthly basis.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

23. Paydays

Full-time employees are paid biweekly on every other Thursday. In the event that a regularly scheduled payday falls on a day off such as a holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

24. Direct Deposit

Employees' paychecks shall be directly deposited into their account at their financial institution. Employees' paychecks are posted to their account at the beginning of each payday. Complete earning statements listing gross pay, deductions, and net amount deposited into employees' account is mailed to employees' homes every payday.

25. Pay Advances

OCC does not provide pay advances on unearned wages to employees. In addition, no advances on sick or vacation time are provided.

26. Pay Corrections

OCC takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll Department so that corrections can be made as quickly as possible.

27. Pay Deductions and Setoffs

The law requires that OCC make certain deductions from every employee's compensation. Among these are applicable Federal, State, and local income taxes. OCC also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." OCC matches the amount of Social Security taxes paid by each employee.

OCC offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by OCC, usually to help pay off a debt or obligation to OCC or others. Examples of pay setoffs for OCC would be Union Dues or overpayment to an employee. Examples of pay setoffs for others would be court-ordered levies for back taxes, child support, or garnishments.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, please contact the Payroll Department.

WORK CONDITIONS AND HOURS

28. Work Schedules

For the majority of full-time employees, the normal work week is forty (40) hours based on an eight (8) hour day, five (5) days a week.

Work schedules for some employees may vary throughout the organization. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times.

29. Overtime

The College will comply with the provisions of the Federal Fair Labor Standards Act generally covering wages, hours, overtime and recordkeeping. The immediate supervisor must give prior approval of overtime before it is to occur.

30. Smoking in College Facilities

Smoking is strictly prohibited within College-owned or leased buildings, including but not limited to offices, classrooms, hallways, waiting rooms, rest rooms, lunchrooms, elevators, meeting rooms, and all community areas. This policy applies to all employees, vendors, contractors, students and the public.

31. Emergency Closings

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt College operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during nonworking hours, local radio and/or television stations will be asked to broadcast notification of the closing.

Emergency closing of a campus or the College will be announced on the following stations:

1. Radio Station: WJR (AM 760), WWJ (AM 950)
2. Television: WDIV, WXYZ, Fox 2

Employees may also call (248) 341-2298 for campus closing announcements.

Each site has established a fan-out system for telephone notification of employees when the College will be closed. Employees are urged to inquire and become aware of the system that is used at their site or in their respective department.

Employees are expected to report for work if none of the above methods indicate that the College is officially closed.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid to regular employees. Regular employees in essential operations may be asked to work on a day when operations are officially closed.

32. Family and Medical Leaves of Absence

OCC provides Family and Medical Leaves of Absence without pay to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

A. Definition

A Family and/or Medical Leave of Absence shall be defined as an approved absence available to eligible employees for up to twelve (12) weeks per twelve (12) months, measured forward from the date the employee's first leave began, under particular circumstances that are critical to the life of a family. Leave may be taken upon the birth of the employee's child; upon the placement of a child with the employee for adoption or foster care; when the employee is needed to care for a child, spouse, or parent who has a serious health condition; or when the employee is unable to perform the functions of his or her position because of a serious health condition as defined by the Family and Medical Leave Act of 1993.

B. Scope

The provisions of this policy shall apply to all Family and Medical Leaves of Absence except to the extent that such leaves are covered under other paid employment benefit plans or policies for any part of the twelve (12) weeks of leave to which the employee may be entitled under this policy. That is, all vacation, sick leave, and personal business leave to which the employee is entitled shall be taken first and counted against the twelve week total to which the employee is allowed by law.

C. Eligibility

To be eligible for leave under this policy, an employee must have been employed for at least twelve (12) months in total, and must have worked at least 1,250 hours during the twelve (12) month period preceding the commencement of the leave.

D. Basic Regulations and Conditions of Leave

1. The College will require medical certification (Certification of Physician or Practitioner Form) to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. For the employee's own medical leave, the certification must include a statement that the employee is unable to perform the functions of his/her position. For leave to care for a seriously ill child, spouse, or parent, the certification must include an estimate of the amount of time the employee is needed to provide care.

In its discretion, the College may require a second medical opinion and periodic re-certification at its own expense. If the first and second opinions differ, the College, at its own expense, may require the binding opinion of a third health care provider.

2. If medically necessary, for a serious health condition of the employee or his or her spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule. If leave is requested on this basis, however, the College may require the employee to transfer temporarily to an alternative position which better accommodates recurring periods of absence or a part-time schedule, provided that the position has equivalent pay and benefits.

3. Spouses who are both employed by the College are entitled to a combined total of twenty-four (24) weeks of leave [rather than a combined total of twelve (12) weeks] for the birth or adoption of a child or for the care of a sick parent.

E. Notification and Reporting Requirements

When the need for leave is foreseeable, such as the birth or adoption of a child, or planned medical treatment, the employee must provide reasonable prior notice, and make efforts to schedule leave so as not to disrupt College operations. In cases of illness, the employee will be required to report periodically on their leave status and intention to return to work.

F. Status of Employee Benefits During Leave of Absence

1. Any employee who is granted an approved leave of absence under this policy is advised to provide for the retention of his/her non-medical care (dental, vision, life, etc.) group insurance coverage by arranging to pay the premium contributions during the unpaid period of his/her absence.
2. In the event that an employee elects not to return to work upon completion of an approved unpaid leave of absence, the College may recover from the employee the cost of any payments made to maintain the employee's coverage, unless the failure to return to work was for reasons beyond the employee's control. Benefit entitlement based upon length of service will be calculated as of the last paid work day prior to the start of the unpaid leave of absence.

33. Sabbatical Leave

OCC provides sabbatical leaves of absence with pay to eligible employees who wish to take time off from work duties to pursue course work that is applicable to their job duties with OCC. Full-time Exempt Administrative and Management Staff employees are eligible to request sabbatical leave pursuant to Board Policy.

34. Military Leave

A Military Leave of Absence will be granted to employees, except those occupying temporary positions, to attend scheduled drills or training or if called to active duty with the U.S. armed services.

Employees will receive partial pay for training assignments and shorter absences. Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base

compensation and the pay (excluding expense pay) received while on military duty. The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.

Subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible, health insurance benefits will be provided by OCC for a period not to exceed 30 days.

Vacation, sick leave, and holiday benefits will continue to accrue during a Military Leave of Absence up to 30 days.

Employees on two-week duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with all applicable State and Federal laws.

Every reasonable effort will be made to return eligible employees to their previous position or a comparable one. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service, such as the rate of vacation accrual and job seniority rights.

35. Pregnancy-Related Absences

OCC will not discriminate against any employee who requests an excused absence for medical disabilities associated with pregnancy. Such leave requests will be evaluated according to the medical leave policy provisions outlined in this handbook and all applicable Federal and State laws.

Requests for time off associated with pregnancy and/or childbirth that are not related to medical disabilities for those conditions, such as bonding and child care, will be considered in the same manner as other requests for unpaid family or personal leave.

36. Leave of Absence Without Pay (Board Policy 2.3.4)

These leaves shall be without pay and without benefits. Employees on such approved leaves may elect to maintain benefit coverages under the terms and conditions specified by COBRA. Employees on such approved leaves shall not be eligible for retirement credit under MPERS. An employee shall be returned to his/her former job, or a substantially equivalent job, upon return from an unpaid leave of absence.

Leave of Absence Without Pay may be granted for a period of not more than one year. Leave of Absence may be granted for professional growth, personal health (physical or emotional), or for such other reasons as may be approved by the Board of Trustees. Leave of Absence must be requested in advance and be reviewed and recommended for approval by the immediate supervisor, the Campus President or District Office Administrator and the Chief Human Resources Officer prior to recommendation to the Board of Trustees. Approval or denial of the request for Leave of Absence by the board shall be final. Such denial shall not be a subject of the Dispute Resolution Procedure.

37. Dispute Resolution Policy (Board Policy 2.5.1)

It is the policy of the College to provide regular full-time employees who are not covered by a collective bargaining agreement with a method by which they can voice their dissatisfaction when they feel they have been treated unjustly or their disputes have not been resolved to their satisfaction. Clear and open channels for the expression of employee concerns, based on a procedure which contains the “right of appeal,” promote sound employee relations. This procedure is the exclusive method for employees and the College to dispute all personnel related matters, except those specifically excluded elsewhere in these policies/procedures.

Upon initiating a complaint, (see Personnel Complaint Form, page 33) it is the employee’s responsibility to pursue it through each step of the procedure within the time limits specified. *Failure to do so will result in forfeiture of the right to pursue the complaint through the procedure.* Informal complaints may be presented to the appropriate member of the College’s management or the Human Resources Department and every effort will be made to resolve such complaints within 48 working hours. No employee is to be reprimanded, harassed or retaliated against by anyone as a result of initiating a formal or informal complaint.

Employees should remember that this procedure is not intended as a substitute for normal problem solving between the employee and the immediate supervisor.

38. Dispute Resolution Procedure

Step I – Supervisory

An employee who has a complaint should make every effort to discuss the problem informally and orally with his/her immediate supervisor, who will make every effort to reach a satisfactory solution to the problem. Most problems are solved at this level. The complaint must be presented to the supervisor within five (5) working days of its occurrence. It is the responsibility of the supervisor to act on the problem and respond to the

employee orally within two (2) working days after receiving the complaint. However, if the employee is not satisfied with the decision of the supervisor, he/she may proceed to the next step.

Step II – Campus President/Executive Director/Vice Chancellor

Within three (3) working days after Step I is completed, it is the employee's responsibility to reduce the complaint to writing on the Personnel Complaint Form provided by the College. The Human Resources Office is available to provide assistance to an employee in filling out the Personnel Complaint Form, if requested. The employee is to keep a copy for himself/herself, give one copy to the appropriate Campus President, Executive Director or Vice Chancellor and send one copy to the Human Resources Office. After the appropriate Campus President, Executive Director or Vice Chancellor has received the written complaint, he/she has five (5) working days to investigate the facts, make a decision, and report his/her response in writing on the College-provided form to the employee in a private meeting. The appropriate Campus President, Executive Director or Vice Chancellor will keep one copy of this written decision for his/her records, give one copy to the employee, and send one copy to the Human Resources Office.

The appropriate Campus President, Executive Director or Vice Chancellor should inform the employee that if he/she is not satisfied with the outcome of the complaint at this step, the employee has the right to pursue the matter further to Step III of the Personnel Complaint Procedure.

Step III – Chancellor

Within three (3) working days of the completion of Step II, the employee shall present the written complaint to the Chancellor or his/her designee. The Chancellor or his/her designee will review all aspects of the complaint with the employee and discuss the situation with the appropriate Campus President, Executive Director, or Vice Chancellor. The Chancellor or his/her designee will then reduce his/her decision to writing and meet with the employee to discuss the decision within fifteen (15) working days after receipt of the complaint. One copy of this decision will be given to the employee involved, and one copy sent to the appropriate Campus President, Executive Director or Vice Chancellor involved and one copy to the Human Resources Office. Except in cases of suspension without pay or termination of employment, this shall be the final step of the procedure.

Step IV – Binding Arbitration

Within five (5) working days after the completion of Step III, an employee who was suspended without pay or whose employment was terminated must request arbitration, in writing, to the Chief Human Resources Officer. The Chief Human Resources Officer shall select a neutral, qualified Arbitrator. A qualified Arbitrator shall be one who is recognized by the

American Arbitration Association, the Federal Mediation and Conciliation Service, or the Michigan Employment Relations Commission. The Chief Human Resources Officer shall notify the Arbitrator of his/her appointment in writing with a copy to the employer within five (5) working days of the date the request for arbitration was received. The notice shall request the Arbitrator to determine a hearing date as soon as possible but not more than thirty (30) calendar days after the appointment letter. If the Arbitrator declines the appointment or is unable to hear the case within the required time frame, another Arbitrator shall be selected in the same manner as described above.

The employee and the employer may be represented by counsel at the hearing. Each party shall bear the cost of his/her own counsel. The College shall bear the costs of the Arbitrator.

The Arbitrator shall apply the substantive law of Michigan, federal law, or both, as applicable to the claim(s) asserted. Pre-hearing discovery shall not be permitted. During the hearing, the Arbitrator shall generally apply the federal rules of evidence; however, he/she shall be the judge of the relevancy and materiality of the evidence offered.

Either party, at its expense, may arrange for and pay the cost of a court reporter to provide a stenographic record of proceedings. Either party, upon request at the close of hearing, shall be given leave to file a post-hearing brief. The time for filing such a brief shall be set by the Arbitrator.

The Arbitrator shall render an award and opinion no later than thirty (30) calendar days after the close of the hearing, in the form typically rendered in labor arbitrations. The Arbitrator shall not have the power to modify, amend, add to, or subtract from any College policy or procedure. Further, with respect to damages or remedies, the Arbitrator's award of any damages and relief to any party shall be limited to the following: back pay (including lost benefits) less interim earnings, unemployment, retirement, disability and other benefits, and severance payments received by or to be received by a party; any other out-of-pocket expenses; documented economic damages; and reinstatement to the same or a substantially equivalent position with the College. If reinstatement is warranted, but is not reasonable or practical under the circumstances at the time the award is issued, the Arbitrator may award to the employee an amount equivalent to a maximum of 12 months of front pay (including benefits) from which the Arbitrator may subtract any severance payments received by or to be received by the employee. ***The decision of the Arbitrator shall be final and binding on the parties.***

Both parties have a duty to mitigate their damages by all reasonable means including, in any case, mitigation by way of making application for unemployment, disability, retirement, or other available benefits. The Arbitrator must take a party's failure to mitigate into account in granting relief.

EMPLOYEE CONDUCT AND DISCIPLINARY ACTION

39. Sexual and Other Unlawful Harassment (Board Policy 0.0.2)

Oakland Community College is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex (including sexual harassment), race, marital status, sexual orientation, Vietnam era veteran status, religion, creed, color, national origin or ancestry, disability or handicap unrelated to the person's ability to do his/her job and any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

40. Sexual Harassment Regulations

A. Prohibited Acts.

No member of the college community shall engage in sexual harassment. For the purposes of this policy, sexual harassment is defined as unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or status in a course, program or activity.
2. Submission to or rejection of such conduct is used as a basis for an employment or educational decision affecting an individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or of creating an intimidating, hostile, or offensive environment for work or learning.

B. Examples of Sexual Harassment

1. Physical assault;
2. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or of creating an intimidating, hostile, or offensive environment for work or learning;
4. Subtle pressure for sexual activity, an element of which may be conduct such as repeated and unwanted staring that would discomfort or humiliate, or both, a reasonable person at whom the staring was directed;
5. An unwelcome pattern of conduct (not legitimately related to the subject matter of a course if one is involved) intended to discomfort or humiliate, or both, a reasonable person at whom the conduct was directed that includes one or more of the following:
 - a. Unnecessary touching, patting, hugging or brushing against a person's body;
 - b. Remarks of a sexual nature about a person's clothing or body; or
 - c. Remarks about sexual activity or speculations about previous sexual experience.

41. Equal Opportunity/Sexual Harassment Complaint Procedure

Exempt Administrative and Management Staff who feel they have been subjected to discrimination or harassment based upon age, sex (including sexual harassment), race, marital status, sexual orientation, Vietnam era veteran status, height, weight, religion, creed, color, national origin or ancestry, disability or handicap unrelated to the person's ability to do his/her job should contact the Equal Opportunity Compliance Officer, Oakland Community College, 2480 Opdyke Road, Bloomfield Hills, Michigan, 48304-2266, (248) 341-2034 within ten (10) working days of the act(s) of which the person complains.

Step 1 - Informal Complaint

The EOC Officer will discuss the nature of the complaint with the individual complaining (complainant) and the options available to the complainant within this procedure and, if appropriate, outside this procedure. All information at this stage will be kept confidential to the extent possible.

Step 2 - Formal Complaint

If the problem cannot be resolved within ten (10) working days from the date of the first contact with the EOC Officer, the Complainant may submit a written Complaint on a form provided by the EOC Officer. The EOC Officer will assist the Complainant in completing the form if

requested, and will conduct an investigation to determine whether there is a reasonable basis to believe that a violation of Board Policy has occurred.

In conducting the investigation, the EOC Officer will notify the accused (Respondent) of the complaint, and he/she shall have the opportunity to respond to the charge. Steps will be taken to ensure confidentiality. If the EOC Officer deems it beneficial, they will hold a meeting with the Complainant and the Respondent to try and work out a mutually acceptable resolution to the problem. The Complainant and Respondent may each have one other person attend the meeting. Within ten (10) working days of the completion of the investigation, the EOC Officer shall issue a Report of Investigation detailing the results of the investigation to the appropriate administrators who shall decide what, if any, formal action is to be taken against the Respondent.

The Complainant and Respondent shall be notified of the outcome of any investigation. In the event disciplinary action is taken, a record of such action shall be placed in the Respondent's personnel file. Formal action against any employee covered by a collective bargaining agreement shall be taken in accord with the provisions of the applicable collective bargaining agreement. Formal action against any employee not covered by a collective bargaining agreement shall be taken in accordance with Board Policy.

Step 3 - Appeal Process

Appeals of any formal action taken against a Respondent shall be made through the procedure provided in the applicable collective bargaining agreement, if any. A Respondent not covered by any collective bargaining agreement, or a Complainant who is dissatisfied by the decision issued at Step 2 may appeal within ten (10) working days of notice of the outcome of the investigation to the Chief Human Resources Officer. Upon review and any further investigation deemed appropriate and within twenty (20) working days of receipt of the appeal, the Chief Human Resources Officer shall issue a final decision.

Non-Retaliation

The College not only prohibits discrimination and harassment, but also strictly prohibits any retaliation against an employee or student who, in good faith, has registered a complaint under this procedure. Any administrator, faculty member, or employee of the College who, after investigation, has been determined to have retaliated against any employee or student for utilizing the Complaint Procedure in this policy will be subject to appropriate discipline up to and including immediate discharge. If any employee or student believes he/she has been retaliated against for exercising his/her rights under this policy, the individual should use the Complaint Procedure set forth above.

42.

Equal Opportunity Regulations

The following regulations are adopted by Chancellor's Council in order to implement the Board of Trustees' Policy regarding Equal Opportunity for students, employees, and applicants for admission and employment at Oakland Community College.

- A. All College publications used to recruit students or employees and all admission and employment application forms shall include statement of the Board's Non-Discrimination Policy.
- B. All administrators and supervisors of the College shall be responsible for reporting any possible violation of this Board policy to the College's Equal Opportunity Compliance Officer. This shall include possible violations of which the administrator or supervisor has personal knowledge as well as those which may be reported to him/her.
- C. All administrators, faculty, staff and students are expected to conform to Board Policy and any regulations, statements, and procedures issued in order to implement Board Policy. Any member of the administration, faculty, or staff, or student who violates Board Policy shall be subject to disciplinary action as appropriate, up to and including discharge from employment or dismissal from the College. Formal action against any employee covered by a collective bargaining agreement shall be taken in accord with the provisions of the applicable collective bargaining agreement. Formal action against any employee not covered by a collective bargaining agreement shall be taken in accordance with Board Policy.
- D. The College's Human Resources Department shall be charged with the responsibility to process all complaints made against administrators, faculty and staff. If a complaint is made against any member of the Human Resources Department, the Chancellor shall be informed immediately, in writing, and the complaint may be referred to [outside] legal counsel for processing.

A member of the Human Resources Department shall be officially designated as the College's Equal Opportunity Compliance Officer and shall function as the Title IX Coordinator and Section 504 (Handicap) Compliance Coordinator. Other departmental staff or [outside] counsel may be utilized to assist in the processing or investigation of complaints, as necessary.

43. Drug Free Environment

Oakland Community College is committed to providing a safe, efficient, and productive work environment for all employees.

Board Policy 2.7 states, “The use of controlled substances on campus will not be tolerated. The unlawful manufacture, distribution, possession or use of a controlled substance is prohibited on all College-owned or operated property.”

Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, job applicants may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. This same request may be made of an OCC employee if there is reasonable suspicion.

The Employee Assistance Program (EAP) provides confidential counseling and referral services to employees for assistance with such problems as drug and/or alcohol abuse or addiction. It is the employee’s responsibility to seek assistance from the EAP prior to reaching a point where their judgement, performance, or behavior has led to imminent disciplinary action.

44. Employment Termination

Board Policy 2.2.1 states, “All regular full-time employees of the College are employed by the College as long as their services are necessary and/or satisfactory to the College. The College shall determine if the employee’s services are necessary and/or satisfactory.”

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Listed below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by an employee.
- Separation - involuntary employment termination initiated by the organization following due process procedures.
- Layoff - involuntary employment termination initiated by the organization for non-disciplinary reasons.

Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

Some benefits may be continued after termination at the employee's expense. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance in the Employee Retirement Guidelines for further information.

**EXEMPT ADMINISTRATIVE & MANAGEMENT STAFF
2003 - 2005
CLASSIFICATION SCHEDULE**

ADMINISTRATIVE STAFF

<u>TITLE</u>	<u>DBM LEVEL</u>
Campus President	E 82
Chief Human Resources Officer	E 82
Chief Information Officer	E 82
Vice Chancellor for Academic and Student Affairs	E 82
Vice Chancellor of Administrative Services	E 82
Executive Director of Advancement	E 81
Executive Director of Information Technologies	E 81
Executive Director of Marketing	E 81
Executive Director of Staff Development	E 81
Controller	D 71
Director of Employee Relations	D 71
Director of Personnel Services	D 71
Director of Financial Services	D 62
Director of Public Safety	D 61
Director of Training Activities	D 51
Executive Assistant to the Chancellor	D 51
Manager of Environmental Health and Safety	D 51

MANAGEMENT STAFF

Academic Services Coordinator, Academic and Student Affairs	C 42
College Public Safety Sergeant	C 42
Assistant to the Chancellor	C 41
Human Resources Specialist – Benefits	C 41
Human Resources Specialist – Employment	C 41
Manager of Risk Management and Contract Services	C 41
Training Coordinator – PDTC	C 41
Administrative Assistant	B 22
Human Resources Assistant	B 21
Staff Assistant	B 21
Training Assistant – PDTC	B 21

**OAKLAND COMMUNITY COLLEGE
PERSONNEL COMPLAINT FORM FOR EXEMPT
ADMINISTRATIVE AND MANAGEMENT STAFF**

NAME: _____ START DATE OF COMPLAINT: ____/____/____

DEPARTMENT: _____ CAMPUS/LOCATION _____

STEP 1 – Supervisory

My complaint is: _____

I am requesting that: _____

A verbal discussion was conducted with my supervisor on: _____ Date ____/____/____

Supervisor Signature _____ Date ____/____/____

REQUEST: DENIED _____ ACCEPTED _____

Employee Signature _____ Date ____/____/____

ACCEPT DECISION: YES _____ NO _____

STEP 2 – Campus President/Executive Director/Vice Chancellor

The Employee will present this form to the Campus President/Executive Director/Vice Chancellor, with a copy to the Human Resources Office.

RESPONSE:

Campus President, Executive Director, or Vice Chancellor will copy the written decision for their records, with a copy being forwarded to the Human Resources Office.

STEP 3 – Chancellor

I am not satisfied with the decision at Step 2 and desire to seek further review for a resolution.

Appeal forwarded to: _____ Date: ____/____/____

REQUEST: **DENIED** _____ **ACCEPTED** _____

Employee Signature _____

ACCEPT DECISION: **YES** _____ **NO** _____

Note: Step 3 is the final step of this personnel complaint procedure except in cases of suspension without pay or termination of employment.

STEP 4 – Binding Arbitration

I am not satisfied with the decision at Step 3, and petition binding arbitration for:

- A. Suspension without pay _____
- B. Termination _____

Note: Failure to comply with the time lines of each step of the personnel complaint procedure will allow the complaint to be forwarded to the next step.