



Personnel Handbook 2023-2024

Mesalands Community College
911 South Tenth Street
Tucumcari, New Mexico 88401
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Approved by the Board of Trustees, August 20, 2019
Approved by the Board of Trustees, February 21, 2023
Approved by the Board of Trustees, January 16, 2024

PERSONNEL HANDBOOK ACKNOWLEDGEMENT

I have received and will review in its entirety a copy of the 2023-2024 *Personnel Handbook*.

I understand that the *Personnel Handbook* is intended to provide eligible employees a description of the employment practices at Mesalands Community College and that the *Personnel Handbook* can be withdrawn, revised, or amended at any time at the discretion of the Board of Trustees.

I further understand that this *Personnel Handbook* supersedes all previously adopted personnel handbooks and now governs the employment relationship between myself and Mesalands Community College. This Handbook does not constitute an employment contract and does not alter the employment relationship between the employees and the College.

If I have any questions about the contents of the *Personnel Handbook* or need clarification regarding the policies contained in the handbook, I will direct those to the Office of Human Resources.

Employee Signature

Date

Employee Name (printed)

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EQUAL OPPORTUNITY NON-DISCRIMINATION/NON-RETALIATION STATEMENT

Mesalands Community College is committed to the policy of equal opportunity in employment and education regardless of race, color, ancestry, religion, national origin, sex, age, physical or mental disability, serious medical condition, veteran status, spousal affiliation, sexual orientation, gender identity or any other basis prohibited by federal, state, or local law.

In compliance with Titles II, VI, and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, Section 402 of the Vietnam Era Veteran's Readjustment Act of 1974, the New Mexico Human Rights Act, and any other applicable federal, state, and local laws, Mesalands Community College does not discriminate against any applicant, employee, or student. This policy covers admission, access, and service in College programs and activities, and application and treatment in College employment. This policy also applies to all aspects of employment including, but not limited to, hiring, promotion, training, pay, benefits, layoffs, discipline, and terminations. In addition, it continues to be the policy of Mesalands Community College to maintain a working environment free of discrimination and harassment.

Mesalands Community College also strictly prohibits any form of retaliation against an employee who in good faith makes a complaint, raises a concern, provides information, or otherwise assists in an investigation or proceeding regarding any conduct the employee reasonably believes to be in violation of the policies set forth in this Personnel Handbook.

This policy is designed to ensure that all employees feel comfortable speaking up when they see or suspect illegal or unethical conduct without fear of retaliation. It is also intended to encourage all employees to cooperate with Mesalands in the internal investigation of any matter by providing honest, truthful, and complete information without fear of retaliation.

Inquiries regarding equal opportunity policies or the filing of complaints may be directed to: Human Resources Office, Mesalands Community College, 911 South Tenth Street, Tucumcari, NM 88401; (575) 461- 6600.

NOTE: Mesalands Community College makes reasonable accommodations to allow qualified applicants and employees with disabilities equal opportunity for employment and qualified students that have the ability to benefit from equal educational opportunities.

SECTION ONE

ABOUT MESALANDS COMMUNITY COLLEGE

MESALANDS COMMUNITY COLLEGE'S MISSION AND GOALS 1.1

MISSION

Mesalands Community College is an institution of higher education that promotes student learning through quality education and services while fostering personal growth, leadership, and opportunity to a culturally diverse community.

GOALS

The Goals of Mesalands Community College are to provide:

- ❖ An environment where learning is appreciated, encouraged, and assessed.*
- ❖ Academic and technical programs for qualified individuals to enhance their lifelong educational opportunities with an emphasis in a general core base of knowledge.*
- ❖ Accessible, multi-faceted services to qualified participants.*
- ❖ Opportunities to develop leadership skills and achieve personal growth by valuing academic and social responsibility.*
- ❖ Quality community service programs responding to the diverse needs of the region.*

HISTORY 1.2

Mesalands Community College is an independent, comprehensive, two-year community college that offers certificate and degree programs, academic transfer courses, adult basic education, and community education courses for lifelong learners. The campus of Mesalands Community College is positioned on 23 acres, with room for future expansion. The main campus comprises six buildings, with additional buildings located at other sites off the main campus. The main campus of the College is located at 911 South Tenth Street in Tucumcari, New Mexico. Tucumcari is located in the eastern part of the state, approximately 100 miles west of Amarillo, Texas, and 168 miles east of Albuquerque, New Mexico. It is recognizable by its landmark, the 5,000-ft. butte known as Tucumcari Mountain. Interstate Highway 40 and U.S. Highway 54 converge in the town, making it a popular tourist site.

In January 1979, an act of the State of New Mexico Legislature authorized the establishment of an area vocational school in Tucumcari (Statutory Authority:

Sections 21-17-1 through 21-17-17 NMSA (New Mexico Statutes Annotated) 1978). Mesalands Community College was originally established as Tucumcari Area Vocational School (TAVS), under the Area Vocational School Act of New Mexico during the thirty-third Legislative Session. The school was authorized to offer programs of vocational education leading to certificates and diplomas.

In November 1993, the institution was authorized by the New Mexico Commission on Higher Education to offer Associate of Applied Science degrees in Business Administration and Computer Information Systems. In June 1994, the Commission on Higher Education authorized the College to offer the Associate of Applied Science degree for each of its technical/vocational programs. The degree programs were implemented in the fall semester of 1994.

In 1994, the Board of Trustees authorized Tucumcari Area Vocational School to begin doing business as Mesa Technical College, in order to more accurately represent the institution to its varied constituents as a small community college.

In the fall semester 1995, Mesa Technical College implemented a pre-collegiate studies program and expanded its course offerings in general education. In the spring semester of 1996, the College began expanding its offerings via distance learning, including the Electronic Distance Education Network (EDEN), a cooperative effort of the universities of New Mexico, Public Broadcasting System (PBS), and the Internet.

In the spring semester 1996, the College developed programs in Paleontology and Geology. Mesa Technical College Dinosaur Museum and Natural Science Laboratories were planned, based on a partnership that developed between the College and the community. The project was important in recognizing, maintaining, and promoting the region's rich heritage as one of the premiere deposits of fossilized ancient life. The community continues to donate considerable time, energy, and resources to the Museum for cataloging specimens and providing sites for further exploration. An outgrowth of planning for separate funding of the Museum resulted in the establishment of the Mesa Technical College Foundation, Inc., for charitable, scientific, and educational purposes.

On July 1, 1996, Mesa Technical College came under the direction of a new president who instituted a concerted effort in strategic planning - a prerequisite to addressing institutional challenges and implementing effective change. The College's new direction manifested itself in significant changes, including the implementation of student assessment, institutional effectiveness, and curriculum development. The institution's mission and goals were reviewed and revised, appropriate to the new effort to become a comprehensive community college. The President also launched an intensive effort to earn accreditation from The Commission on Institutions of Higher Education of the North Central Association (NCA) of Colleges and Schools. Administration, faculty, and staff set forth on a fast track to compress the two-year process normally needed to earn a site visit from the NCA into a period of less than one year. In August 1997, these efforts were rewarded when NCA granted Mesa Technical College candidacy for accreditation. In

August of 1999, Mesa was granted the status of initial accreditation by NCA; at which time the State allowed the College to begin offering the Associate of Arts degree.

In the fall of 1998, the College launched a new intercollegiate rodeo program in response to the desires of its students and the local community. The success of this program led to the establishment of a livestock judging team in 2001.

On September 11, 2001, the Board of Trustees renamed the institution Mesalands Community College. With the College continuing to grow and mature, the College's name was changed to more adequately reflect its mission.

In 2004, Mesalands Community College received 10 years of accreditation from the Higher Learning Commission, a Commission of North Central Association of Colleges and Schools.

Mesalands Community College has experienced significant growth and change over the last 10 years as briefly outlined below.

2004

- The University Distance Education Center was established on campus with the design and launch of the Mesalands Telecommunication Network (MTN), and the implementation of Digital Interactive Television (DITV). This Center provided Mesalands Community College the capability to export DITV courses. It also enabled area students to take upper level and graduate level courses locally. This also allowed the College to offer courses and provide a community bulletin board via local cable television.
- Lobbying efforts resulted in \$240,000 in special appropriations - \$140,000 for Intercollegiate Rodeo and \$100,000 for the Mesalands Community College Dinosaur Museum and Natural Science Laboratory.
- A statewide Higher Education General Obligation (GO) Bond passed, with \$679,000 being allocated to the College. The College received \$600,000 for its Capital Project and \$79,000 for building renewal and replacement.
- The College's Truck Driving Program received five years of certification from the Professional Truck Driver Institute.

2005

- The North American Wind Research and Training Center (NAWRTC) was initiated.
- The College established a Spanish language outreach program, "La Voz," airing twice a week.
- A Building Trades Program was established.
- Legislative funding in the amount of \$145,350 was obtained for the Rodeo Program and the Mesalands Community College Dinosaur Museum and Natural Science Laboratory.

- An electronic Student Information System (SIS) was installed in all classroom buildings.
- A joint powers agreement was signed between the College and the New Mexico Department of Corrections for prison site training, with \$10,000 allocated for training.
- A memorandum of understanding was signed with the GEO Group, Inc., for Guadalupe County Correctional Facility on-site classes.
- \$360,000 was secured for construction of the Career Technical Education Center to house the Building Trades Program.
- Designs were made for remodeling and new structures on the west end of Building A, and adjacent to Building C in the amount of \$1,750,000.
- The Building Trades Program was started.
- The New Mexico Legislature included the College into the Community College Statute, Article 13 Community Colleges (21-13-4.2 NMSA 1978). From that point forward the name, Mesalands Community College was officially in the Statutes of the State of New Mexico.

2006

- A GO Bond passed in Quay County and New Mexico, resulting in the College receiving \$1,500,000 in building funds.
- The College was awarded a \$600,000 U.S. Department of Housing and Urban Development (HUD) Grant.
- The College's enrollment reached an all-time high in the fall of 2006. Headcount enrollment was 694, and fulltime equivalent (FTE) enrollment was 371.
- The College had a record number of associate degree graduates for the 2005-06 academic year. Forty-four (44) students earned associate degrees; in addition, 43 received certificates.
- A Feasibility Study for the North American Wind Research and Training Center (NAWRTC) was published. A business plan for the NAWRTC was also published.
- A \$1,400,000 building project was started for Building A, including a 6,760 square foot remodeling project and 7,920 square feet of new construction.
- Construction began on a \$300,000 Building Trades facility.
- The College was selected by the Governor's Gallery at the State Capitol to exhibit a museum bronze artwork entitled "The New Bronze Age."
- The College was awarded a \$63,000 grant from New Mexico Department of Energy, Minerals, and Natural Resources.
- A contract was signed between Mesalands Community College and the New Mexico Department of Corrections, awarding \$12,000 for spring and summer 2006 classes, and \$25,000 for 2006-07 classes at Guadalupe County Correctional Facility.
- The Mesalands Community College Dinosaur Museum and Natural Science Laboratory received a 400-piece collection of Carboniferous plant life fossils. In addition, new carpet and new scientific specimen cabinets were installed in the Museum.

2007

- The Fall 2007 headcount (third Friday census) was 635, up 16.5% from 2005-06, and up 152.0% from fall 1997. Fall 2007 FTE (third Friday census) was 373.7, up 11.9% from 2005-06, and up 152.8% from fall 1997.
- The College graduated 36 students with associate degrees; 120 graduated with certificates (2006-07 academic year).
- Concurrent enrollment grew 41% from fall 2006 to fall 2007. The College concurrent enrollment agreements included Tucumcari High School, Logan High School, Dexter High School, Clayton High School, House High School, Moriarty High School, Estancia High School, and Texico High School.
- The College was awarded a \$17,000 grant from the New Mexico Rodeo Council for equipment. There were 38 members on the rodeo team/rodeo club.
- Construction was completed on new facilities. A \$1.6 million addition to Building A added 7,920 square feet, including a Great Room, a Health and Wellness Facility, two classrooms, five offices, and a meal prep room.
- Governor Bill Richardson approved \$2 million in appropriations to help finance a 1.5 megawatt wind turbine to be installed at Mesalands Community College for the NAWRTC.
- The College received a \$300,000 Legislative Appropriation from New Mexico Representative Brian Moore and a \$150,000 Legislative Appropriation from State Senator Harden for the NAWRTC. Another \$43,000 was received from various other statewide senators and representatives.
- The College successfully procured a \$2 million U.S. Department of Labor grant for the NAWRTC.
- A contract was awarded for a General Electric 1.5 megawatt wind turbine to be delivered in 2008.
- A Joint Powers Agreement was signed between Mesalands Community College and the New Mexico Department of Corrections, awarding \$45,000 to help fund courses offered at Guadalupe County Correctional Facility for fiscal year 2006 – 2007.
- A new College security identification card system was installed for everyday use, as well as security access for paying clients to the new Fitness Center.
- A new web-based administrative software system was implemented (SONISWEB).
- The Mesalands Community College Dinosaur Museum and Natural Science Laboratory welcomed its 100,000th visitor on November 3, 2007. Attendance at the Museum grew to about 15,000 annually.
- For the first time, the Mesalands Community College Board of Trustees held elections separate from the K-12 school board elections.

2008

- A commercial-grade, 1.5 megawatt General Electric wind turbine was erected on campus.
- A \$7.5 million GO Bond was approved for the NAWRTC.
- During the fall semester, classes in Wind Energy Technology were initiated.

2009

- A GO Bond was approved for Building G.

2010

- Building G was expanded to include the President's Office, the Board of Trustees Conference Room, four new classrooms, three new offices, and the Bookstore.
- The NAWRTC, a 27,000 square foot building, was dedicated in the fall.

2011

- In the spring, operations began in the new NAWRTC.
- In June, Dr. Phillip O. Barry, President of Mesalands Community College, retired after 15 years of dedicated service.
- On July 1, Dr. Mildred P. Lovato became the second President of Mesalands Community College.
- The College hosted the Economic and Rural Development Committee Meeting on July 6-7, 2011. This meeting brought Legislators from across the state to the campus.
- Mesalands received the largest annual individual donation of \$35,000. Xcel Energy donated \$5,000 for scholarships for Wind Energy students. Citizens Bank donated \$5,000 to the Rodeo Team. The Working Ranch Cowboys Foundation donated \$10,000 to build 20 new horse stalls near the Farrier Barn.
- The College was awarded a \$523,751 Wind Center of Excellence grant. Twenty-eight students graduated with an Occupational Certificate in Wind Energy Technology as a result of this grant.
- The College received \$109,140 Integrated Basic Education Skills Training (I-BEST) grant to assist Adult Basic Education (ABE) students succeed in college-level technical programs. The grant is used for wrap-around services for General Education Development (GED) students co-enrolled in short certificate program
- The College was awarded a highly competitive U.S. Department of Education Title III Federal Science, Technology, Engineering, and Mathematics (STEM) grant in October, 2011. The grant award is \$777,154 each year for a five-year renewable award totaling \$3.8 million.
- A new Fine Arts Weaving Program was started, resulting in capacity enrollment for that program, at the Guadalupe County Corrections Facility.
- New Mexico Business Weekly named the Mesalands Community College Dinosaur Museum and Natural Science Laboratory one of the Top Twenty-Five Museums in the State for attendance.
- The College was approved by the Higher Learning Commission – North Central Association, to offer academic program courses at additional correctional facilities: New Mexico Women's Correctional Facility (Grants, N.M.) and the Northeastern New Mexico Detention Facility in Clayton, NM.
- The College was a National Association of Industrial and Office Properties (NAIOP) architectural/construction award finalist for the NAWRTC building. The

building was also certified as Leadership in Energy and Environmental Design (LEED) Silver.

- In December, the College was one of only eleven institutions selected, from among 68 applicants nationwide, to receive the Community College Undergraduate Research Initiative (CCURI), National Science Foundation (NSF) award.
- The architectural design for the construction of a new Life Science Laboratory, and the remodel of the existing Physical Science Laboratory in Building A was completed, and construction began.
- Official College colors were formalized by the Board of Trustees.
- The College mascot debuted at the first indoor/outdoor Cinco de Mayo celebration at the NAWRTC.
- The College conferred 70 certificates and 6 associate degrees at the Guadalupe County Correctional Facility, and the Northeastern New Mexico Detention Facility.
- The Men's Rodeo Team set two national records: the most points earned at a single rodeo, and the most points earned during a single season.
- A concerted effort to increase exposure of the College resulted in significant media coverage, including an article in the Wall Street Journal. Throughout the year, the College averaged media coverage every three days; much of which was "Earned Media."
- The Mesalands Community College Accreditation Plan 2011 – 2014 was created and first presented during the fall semester convocation.

2012

- The first Self-Study Steering Committee meeting was held during the fall semester.
- The Life Science Laboratory and the Physical Science Laboratory were extensively updated.

2013

- On July 11, 2013, after an extensive nationwide search, the Board of Trustees hired Thomas W. Newsom, Ph.D., as the next President of Mesalands Community College.

2014

- The College saw enrollment increases year-over-year by more than 13%, over 9% in the Summer and Fall, and in excess of 17% in the Spring.
- Total student credit hours increased year-over-year by more than 7%.
- Student retention increased for both full-time and part-time students, an increase of 8% to 69% and an increase of 1% to 48%, respectively.
- AffordableColleges.com named our College the seventh most affordable community college in the nation, number one in New Mexico.
- The College increased access to its educational programs and increased future

educational opportunities for students by: Launching dual credit and adult education programs at Portales High School. Entering into an agreement with the University of Texas at Arlington to provide OSHA training in Tukumcari. Signing articulation agreements with Colorado State University, Southern New Hampshire University, and Grand Canyon University, and reengaging a relationship with Wayland Baptist University.

- Increased its foreign language options with the re-introduction of French.
- Brought Back English as a Second Language as a free course offering.
- Reengaged the relationship with Clovis Community College and engaged Frank Phillips College in collaboration with the Wind Energy Program.
- Launched a Graphic Design option within our degree program.
- The College saw nationally and internationally published research by many of its staff and faculty members including Dr. Forrest Kaatz, Dr. Axel Hungerbuehler, and Dr. Phillip Kaatz.
- Increased student services through additional online resources such as online tutoring, increased access to library resources, and began the process of developing an online bookstore.
- Received over \$550,000 from a federal grant to reestablish our allied health programs.
- Signed a contract with the Tukumcari Economic Development Corporation for 90+ acres for a future Animal Science/Farrier Science/Rodeo facility that will not only allow for future expansion in those programs but grow the fine arts programs as well.
- Had a number of students and faculty/staff participate in the Community College Undergraduate Research Initiative that included poster presentations in both Washington D.C. and North Carolina.
- For the first time in College history Mesalands hosted two on-campus rodeos and received financial support from the Lodgers Tax Board for the second event.
- Entered into an agreement with Tukumcari High School through support of the Rattler Booster Club, in order to give the College a larger presence on the high school campus.
- Hosted a very successful 17th annual iron pour.
- Engaged the community through concerts, lectures, a Foundation fundraising event, and the Stampede Fiesta and Stampede Week.
- Continued to support the community through the Mesalands Small Business Development Center, including an incredibly successful tax preparation event.
- Completed a Strategic Plan that will guide the College into the future.

2015

- Duplicated headcounts in 2014-2015 increased by 17% year-over-year.
- Annual full-time enrollment increased by 9%.
- Had an overall graduation rate of 38%, which is more than 50% higher than the national graduation rates of public 2-year institutions of 21.1%.
- According to the New Mexico Independent Community College Accountability in Government Act Report (NMICC AGA) for 2013, 75% of Mesalands graduates

obtained employment, or continued their education at another institution.

- Community College Week ranked Mesalands as the 33rd fastest-growing community college in the nation, with an enrollment under 2,500, according to an article published by Community College Week. Mesalands was one of only four community colleges in the State of New Mexico included in this distinguished list.
- The College expanded educational opportunities for students by: reestablishing the Allied Health Program, offering certificates in Nurse's Aide and Phlebotomy, and providing educational programming to students at eight of the nine correctional facilities in New Mexico. Began offering college courses to Dual Enrollment students during their sophomore year at Tucumcari High School. For the first time in the College's history, seven Dual Enrollment students from Tucumcari High School, were inducted into the Phi Theta Kappa (PTK) International Honor Society.
- Mesalands and a network of community colleges were awarded a \$1.5 million grant, provided by the National Science Foundation (NSF), for the expansion of undergraduate research opportunities for students. This grant was part of the Community College Undergraduate Research Initiative (CCURI).
- A new Office of Student Success was developed to improve persistence and completion rates. The College hired a Director of Career Services, Persistence, and Student Success, who is responsible for the overall operation of the Office of Student Success — Career Services Center. A new Career Services Center was created to empower students and first-year alumni to achieve their career-related goals, through the use of personalized services, resources, technology, presentations, and workshops.
- A new Student Success Committee Standing Committee was also formed to identify at-risk students and anticipate their needs, while connecting them to appropriate resources and support early and continually in their academic careers.
- D'Jean Jawrunner, Fine Arts Faculty Member at Mesalands, was named the 2016 New Mexico Higher Education Art Educator of the Year, by the New Mexico Art Education Association (NMAEA).
- Hosted the 17th Annual Iron Pour and had a total of 33 students, from all over the country participating in this workshop. Students poured nearly 4,000 pounds of iron in only two and a half hours, making this the fastest iron pour in the history of the College.
- The College saw nationally and internationally published research by many of its staff and faculty members, including Gretchen Gurtler, Dr. Axel Hungerbuehler, and Dr. Forrest Kaatz.
- Students conduct undergraduate research projects related to mathematics, environmental science, and paleontology.
- Over 12,000 people, representing all 50 U.S. States and Puerto Rico, visited the Mesalands Community College's Dinosaur Museum and Natural Sciences Laboratory. In addition, 703 were international visitors from 42 different countries.
- The Small Business Development Center filed 65 error-free tax returns, which resulted in a total of \$16,882 in federal in-state income tax refunds, for local senior citizens.
- The College Bookstore continues to provide a variety of clothing and gift items for

the students and staff, as well as for the local community. Bookstore begins to offer electronic textbooks.

- Six student athletes from the Mesalands Rodeo Team, competed at the 2015 College National Finals Rodeo (CNFR), the second highest in the State of New Mexico. Timothy Abbott, Mesalands Interim Intercollegiate Rodeo Coach, was named the 2015 Grand Canyon Region Coach-of-the-Year.
- The Mesalands Rodeo Team hosted the New Mexico High School Rodeo Association (NMHSRA) competition at the Quay County Rodeo Arena. Approximately 500 high school rodeo contestants from across New Mexico, participated in this rodeo.
- The College had record attendance at various community events including: 600 attendees to the 8th Annual Fall Rodeo; over 150 people attended the 2015 Christmas Story and Lighting of the Courtyard holiday event; 100 attendees to the fall Student Orientation and 80 to the Welcome Back Pizza Party, and 400 in attendance at the Maze of Life event during the 2nd Annual Student Safety Week, including students from Tucumcari High School.
- Mesalands was well-represented at the 2015 Fired Up Celebration, organized by the Tucumcari Mainstreet Committee. Faculty and staff assisted with the First Annual Chalk Walk Sidewalk Art Contest and had multiple Fine Arts students participate. “Pedey” the College mascot, took part in the mascot dance-off, and the College Bookstore sold merchandise. Approximately 2,000 people attended this community event.
- Mesalands staff and faculty donated over \$250 and 300 pounds of food to the local Ministry of Hope during the College’s Annual Food Drive. Mesalands staff also volunteered at a number of community events, including Get Moving Quay County Fun Run/Walk, Quay County Fair, Quay County Wellness Fair, Tucumcari’s Earth Day at the Outdoor Classroom and at various Open Mic Poetry events. Mesalands staff members have and will continue to be actively involved in various non-profit and service organizations, to support the local community.

PURPOSE OF THE HANDBOOK

1.23

This Handbook is intended to give eligible employees a description of the employment practices at Mesalands Community College. This handbook has been approved by the Board of Trustees and is administered by the College administration, and may be withdrawn, revised, or amended at any time at the discretion of the Board of Trustees. This handbook supersedes all previous Mesalands Community College employee handbooks.

The primary purpose of this handbook is to describe policies and benefits applicable to classified and unclassified full-time and part-time employees. Questions concerning your employment not answered in this handbook should be directed to your immediate supervisor or the Human Resources Office. The administration reserves the right to change procedures as circumstances dictate. **This Handbook does not constitute an employment contract or any guarantee of continued employment.**

SECTION TWO

HOW WE ARE ORGANIZED

BOARD OF TRUSTEES

2.1

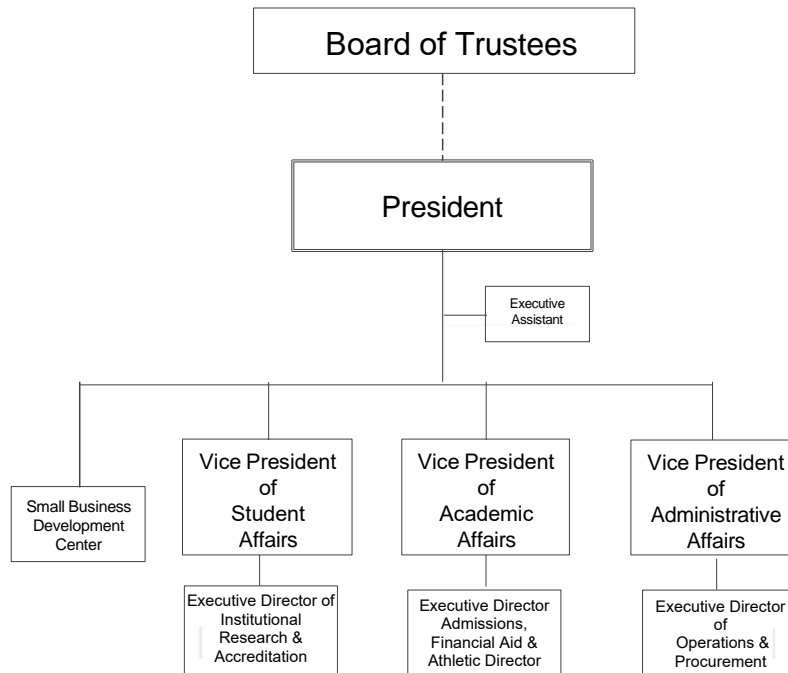
Mesalands Community College is independently governed by an elected Board of Trustees. The Board of Trustees is comprised of five members, one elected from each of the five districts identical to those of the Tukumcari Municipal School District No. 1 of Quay County, New Mexico. However, once elected, Trustees collectively represent the entire population of the district, not the citizens of the district by sub-divisions which elected them. The Board normally meets on the third Tuesday of every month at 5:30 p.m., in the Mesalands Community College Great Room. All regular Board meetings are open to the public and are announced in accordance with the New Mexico Open Meetings Act.

PRESIDENT AND EXECUTIVE TEAM

2.2

The President is hired by and reports directly to the Board of Trustees. The President's Executive Team consists of the President, Vice Presidents, and Executive Directors. The President's Executive Assistant reports directly to the President. The Mesalands Community College President's Division Organizational Chart follows.

Figure 1 President's Division



PARTICIPATORY INPUT

2.3

Mesalands Community College subscribes to the belief that the faculty, staff, and students should contribute and assist in formulating policies and procedures for the College, subject to the approval of the Executive Team and, if necessary, adoption by the Board of Trustees. To implement this belief, the Executive Team normally meets weekly. Members of the Executive Team are to meet with their reports to both receive information and share information and make decisions regularly as is practical. In addition, College standing committees have been formulated, the number of which will depend upon the needs of the institution from time to time. Additionally, ad hoc committees or task forces may be formed as needed. Appointments to the College standing committees are made by the appropriate member of the Executive Team. Minutes of the standing committees and various other meetings are posted for easy review by employees. In addition to the opportunities to serve on the standing committees reviewed below, the strategic planning process includes opportunities for employee participation.

STANDING COMMITTEES

2.3.1

ACADEMIC STANDARDS AND ISSUES FINANCIAL AID APPEALS COMMITTEE

Purpose

The Academic Standards and Issues Financial Aid Appeals Committee exists as a regular standing Committee of the Academic Affairs Division. This committee, acting in an advisory capacity, will be responsible for reviewing and evaluating proposals that impact academic standards and issues. The Academic Standards and Financial Aid Appeals Issues Committee will present to the Vice President of Academic Affairs recommendations on policies, regulations, and procedures that promote institutional scholarship.

Committee Composition

This committee is comprised of three members: two faculty members and one professional from Student Affairs. Committee appointments are made by the Chief Vice President of Academic Affairs annually. The Vice President of Academic Affairs will appoint a Committee Chair annually.

Committee Operations

1. A quorum shall consist of two-thirds (two) of the members. Due to the relatively small number of members on the committee, if any member cannot be present for a scheduled meeting, he or she should contact the Chair and the Director of Financial Aid, who will attempt to reschedule the meeting at a time all members can be present.

2. When practical, the committee will call upon College personnel who are involved with the issue to serve as resources concerning the matters.
3. The committee shall follow *Robert's Rules of Order*.
4. Issues may be brought to the committee through the following channels:
 - a. Referrals from the Vice Presidents
 - b. Referrals from the Faculty
 - c. Referrals from the President
 - d. Student referrals shall be directed to the committee only with the support of the Vice President of Student Affairs
5. Process students appeal for academic and financial aid suspension for reinstatement.
6. The review process will be as follows:
 - a. All proposals should be submitted on the committee's Proposal Form to the Committee Chair at least two weeks prior to the requested meeting. The proposal should include a summary of the issue, any relevant background information, and recommendations, if desired.
 - b. A representative for the proposal should be present at the meeting to present the issue to the committee and should be prepared to answer any questions the committee might have.
 - c. The Committee will take the proposal under consideration and make its written recommendations to the Vice President of Academic Affairs within two weeks after the review meeting. The originator of the proposal will also receive a written response to the committee's decision within two weeks.
 - d. Recommendations submitted to the committee not falling under this committee's jurisdiction will be returned to the originator for presentation to the appropriate committee.
7. The approval process will be as follows:
 - a. Academic issues and/or recommendations are presented to the committee.
 - b. Committee formulates a recommendation.
 - c. Vice President's approval.
 - d. Board's approval, if necessary (at the President's discretion).
8. Emergency approval

When an academic issue surfaces that needs immediate action and normally falls within the committee's jurisdiction, the Vice President of Academic Affairs shall establish an interim policy which will remain in effect until the Committee has an opportunity to explore the issue and make a recommendation.

The Academic Standards and Issues Financial Aid Appeals Committee meets once a month during the months of September, November, February, and April. Specific

dates and times will be announced. Special meetings may be called and announced as needed.

Scheduled Meetings

The Academic Standards and Financial Aid Appeals Committee meets once a month during the months of September, November, February, and April. Specific dates and times will be announced. Special meetings may be called and announced as needed.

CURRICULUM COORDINATING COMMITTEE

Purpose

The Curriculum Coordinating Committee exists as a regular standing committee of the Academic Affairs Division. Acting in an advisory capacity, the Curriculum Coordinating Committee will review and evaluate the curriculum. In addition, this committee will assist in the review of both academic and technical programs through an intermittent review process while safeguarding the mission of Mesalands Community College.

Functions

1. Review and recommend to the Vice President of Academic Affairs action upon new or modified credit-bearing courses and programs of study.
2. Provide for structured development and revision of courses by defining the process for approving and disapproving Curriculum Review Proposals.
3. Review curricula offered by the institution as directed.
4. Review program proposals and revisions, and grant proposals when they involve course development and academic programs.
5. Assist in the identification, development, and implementation of an academic review process.
6. Evaluate curriculum proposals to ensure that they do not duplicate existing courses or programs.
7. Control proliferation of course offerings.
8. Ensure harmony with existing curriculum offerings, resources, and qualified personnel.
9. Ensure quality through academic program review.

Committee Composition

This committee is comprised of three members: two faculty members and one professional from Student Affairs. Committee appointments are made by the Vice President of Academic Affairs annually. The Vice President of Academic Affairs will appoint a Committee Chair annually

Committee Operations

1. The Curriculum Coordinating Committee will review and recommend to the Vice President of Academic Affairs the action taken by the committee on new or revised credit-bearing courses and programs of study.
2. The Curriculum Coordinating Committee will allow for the development and revision of course offerings through an organized system, based on a clearly defined process of approving and disapproving curriculum review proposals.
3. When directed, review the College's curriculum offerings.
4. Review program curriculum proposals and revisions.
5. The Curriculum Coordinating Committee will aid in the identification, development, and implementation of an academic review process.
6. Through the evaluation of curriculum proposals, the Curriculum Coordinating Committee will verify that such proposals do not replicate current courses or programs of study.
7. A quorum shall consist of two of the members or a two-thirds majority. If a committee member cannot attend a meeting, the member should contact the Committee Chair to determine if the meeting can be rescheduled.
8. The committee shall follow *Roberts Rules of Order*.
9. All curriculum proposal requests should be initiated by a full-time faculty member with the respective Vice President of Academic Affairs' approval. Adjunct faculty and professional staff may make curriculum proposals with the support of a full-time faculty member and/or Vice President of Academic Affairs.
10. The review process is as follows:

Following approval of course objectives by the Student Learning Assessment Committee:
 - a. Submit all proposals to the Curriculum Coordinating Committee on the Curriculum Change Request Form and all supporting documentation requested on the form, to the Committee Chair one week prior to the requested meeting.

- b. A representative of the proposal must be present at the meeting in order to present and defend the proposal to the committee.
- c. The committee will consider the proposal and make a written recommendation to the Vice President of Academic Affairs. The requester of the proposal will receive a response of the committee action. Any recommendation or proposal submitted to the committee that does not fall under the committee's jurisdiction will be returned to the originator for presentation to the appropriate committee.

11. The approval process will consist of the following:

- a. Curriculum proposals and program reviews are presented to the Committee
- b. Committee recommendations
- c. Approval of the Vice President of Academic Affairs
- d. President's approval
- e. Board of Trustees approval if necessary (if a new major or degree program or at the discretion of the President)

Emergency Approval

When a curriculum issue arises that needs immediate action and would normally fall within the committee's area of expertise, the Vice President of Academic Affairs shall establish an interim policy that will remain in effect until the committee has an opportunity to review and evaluate the issue and make a recommendation.

Scheduled Meetings

The Curriculum Coordinating Committee meets once a month during the months of September, November, February, and April. Specific dates and times will be announced. Special meetings are called and announced as needed.

STUDENT LEARNING ASSESSMENT COMMITTEE

Purpose

The Student Learning Assessment Committee exists as a regular standing committee of the College. The committee is charged with planning for, and subsequently overseeing, the implementation of institution-wide assessment of student academic achievement.

Committee Composition

The committee is composed of nine members, including the Vice President of Academic Affairs, three full-time faculty members, two professional staff/adjunct faculty members, two students, and the Director of Institutional Effectiveness and Research. Committee appointments are made annually by the Vice President of Academic Affairs, who will also appoint a committee chair annually.

Committee Operations

1. The committee will enter into an ongoing dialog with the College community about the assessment of student academic achievement.
2. As a result of this dialog, the committee will design annually a plan for the assessment of student academic achievement at the institution and oversee the implementation and continuous re-evaluation of the plan.
3. The committee will enhance the knowledge of the faculty, staff, and students of the College about the theory and practice of the assessment of student learning.
4. The committee will facilitate and implement the development of feedback loops, and information dissemination about the ongoing process of assessment at the College through various media, including the bi-monthly Assessment News and semester and annual reports.
5. The committee will work with other committees on campus, particularly the Executive Team, the Curriculum Coordinating Committee, and the Academic Standards and Issues Committee to ensure that the assessment of student academic achievement is embedded throughout the institution.

Scheduled Meetings

Meetings are scheduled twice a month or as needed, and faculty are encouraged to attend. The Student Learning Assessment Committee has joint meetings as needed with the Faculty Council for information exchange and to facilitate faculty feedback into the assessment process.

TECHNOLOGY COMMITTEE

Purpose

The Institutional Technology Committee (ITC) of Mesalands Community College, a regular standing committee, seeks to promote the effective use and sustainability of information technology (IT) in the instructional, research, and administrative activities of the College. The ITC identifies and recommends new and emerging IT-based services necessary in the fulfillment of the College's mission.

In order to achieve its stated purpose, the Committee performs the following functions:

- Provides advice and recommendations to the College's administration concerning IT strategic directions, operating policies, and faculty and staff IT needs.
- Maintains liaison with the College community to provide a forum for the expression of views and ideas concerning IT services, facilities, and needs.
- Maintains relationships with other College committees that deal with IT related

issues.

- Reviews and makes recommendations for approval to the College's administration for purchasing of technology equipment and supplies across the College.
- While it is not the purpose of this committee to solve problems with IT implementation, it is appropriate for the committee to serve as a liaison for any continuing problems when resolution through normal channels has not been successful.
- Occasionally, the committee may be requested to consult on curricular issues involving technology

Committee Composition

This committee is comprised of nine members: four faculty members, appointed by the Vice President of Academic Affairs, and five staff members, appointed by the President, with the intent of representation from a diverse number of academic disciplines and operational divisions. The President and Vice President of Academic Affairs will serve as ex officio members.

Role of Individual Members

1. Reviews relevant materials prior to committee meetings.
2. Provides feedback as both an individual department and college-wide representative.
3. Attends all meeting of the committee and sub-committees as appropriate.
4. Participates in forwarding the purpose of the committee.
5. Actively and positively participates in the work of the committee.

Roles of the Chair

1. Presides over all meetings of the Committee.
2. Notifies members of meetings.
3. Prepares the agenda for each meeting and distributes pre-meeting information to committee members.
4. Forwards committee recommendations to the College Administration.
5. Responsible for ensuring that meeting minutes are taken and posted.

Committee Operations

Meeting Protocols

1. A quorum shall consist of two-thirds (six) of the members. The Chair of the committee will be a full-time faculty member and will vote only in the event of a tie.
2. The committee shall follow Robert's Rules of Order.
3. The committee may request the presence of college personnel to provide additional information, if necessary, regarding actions being brought to the committee.

Technology Purchases

1. The purchase approval process will be as follows:
 - a. All purchase requisitions should be submitted in hard copy form to the Committee Chair at least two days prior to the meeting. The purchase requisition(s) should be filled out completely and any quotes or supporting information must also be provided.
 - b. The committee members will review each purchase requisition during the monthly meeting and cast their vote on each purchase requisition presented for approval.
 - c. The originator(s) of the purchase requisition will be notified of the committee's decision within one day of the meeting.
 - d. State and College purchasing, and procurement policies will be used in cases of conflict with the above.

2. The approval process will be as follows:
 - a. Immediate Supervisor
 - b. Technology Committee
 - c. President
 - d. Board of Trustees approval for purchases of \$7,500 or greater.

Scheduled Meetings

The Technology Committee meets monthly. Specific dates and times will be announced by the chair. Special meetings may be called and announced as needed. Minutes of all meetings shall be recorded and distributed in a timely manner.

FACULTY COUNCIL

The Faculty Council is designed to provide a vehicle in which faculty can discuss educational issues with the Vice President of Academic Affairs. The council includes all faculty and adjunct members and meets twice each semester and as needed.

The Faculty Council meets once a month during the months of September, November, February, and April. Specific dates and times will be announced. Special meetings are called and announced as needed.

Faculty Senate

The faculty is the foundation of student learning, providing excellence in teaching, assessment, research, and service. All these things contribute significantly to the quality and reputation of the College. The interests of the entire academic enterprise are best served when the faculty's expertise and skills are brought to bear in cooperative participation in the governance of the College. Specifically, the Faculty Senate is a primary advisory body to the President on policy matters affecting

faculty, student learning, academic enrichment, and the operations of the College.

Staff Senate

The staff have a significant role in providing an education and service to the students and the community. These roles contribute significantly to the quality and reputation of the College.

INSTITUTIONAL EFFECTIVENESS, RESEARCH AND PLANNING COMMITTEE

Purpose

The Institutional Effectiveness, Research and Planning Committee oversees monitoring the College's Institutional Research functions and reviewing all performance data for the College, along with all matters related to human subjects and Institutional Review Board (IRB) issues as needed, providing advice and counsel on documents such as any College survey instruments. The Committee also assists the President's office in tracking key performance indicators associated with the Mission, Vision, and Strategic Plan, as directed.

Committee Composition

The committee is composed of eight members, including the President of the College (ex officio), two full-time faculty members, four professional staff, and a support staff member. The Director of Institutional Effectiveness and Research chairs the Committee, and a non-voting secretary is present at all meetings to record the minutes. Appointments to this Committee are made by the President of the College.

Committee Operations

The committee reviews and makes recommendations regarding all survey instruments intended for use by the College, faculty, and student research projects. The Committee reviews and implements the necessary collection of data in accordance with the American Association of Community College's Thirteen Core Indicators of Effectiveness, which is central to the College's Institutional Effectiveness Plan.

Scheduled Meetings

Meetings are scheduled once per semester, and as needed. Meetings are open to all interested faculty and staff.

STUDENT AFFAIRS COMMITTEE

Purpose

The Student Affairs Committee exists to make recommendations on issues which have a direct impact on student life. These matters include: (1) College facilities and College services, such as housing, student parking, food services, student activities area, etc.; (2) student activities; (3) College fees and business office procedures affecting students; (4) student codes and behavior while on campus; (5) graduation and convocation ceremonies; (6) scholarships and awards; (7) course registration process; and (8) student development activities including, but not limited to, counseling, job placement, retention, and services.

Committee Composition

The committee is composed of the Vice President of Student Affairs, one faculty member, one professional member, and two student body members (one of which will be the president of the College governing student body, and one of which will be an individual appointed by the Vice President of Student Affairs).

Committee Operations

Anyone wishing to make a recommendation to the committee should submit a Committee Proposal Form within a reasonable amount of time. Individuals may request or be requested to attend committee meetings in order to present said recommendations. The committee members will determine if the issue is appropriate for Student Affairs Committee consideration, or if it should be referred to another campus group or office.

If the committee considers the proposal, a written recommendation will be submitted to the Vice President of Student Affairs as well as to the originator of the proposal.

Allow at least two weeks for scheduling a meeting, discussion, recommendation to proper personnel, and approval by said personnel.

Scheduled Meetings

Committee meetings shall be held once per semester; however, special meetings may be called as needed. Open meetings shall be called at the discretion of the committee and shall be announced to the College community accordingly.

STUDENT SUCCESS COMMITTEE

Purpose

The Student Success Committee exists as a Standing Committee of the College. The Committee is charged with identifying at-risk students and anticipating their needs while connecting them to appropriate resources and support early, and

throughout their academic careers with the ultimate goal of improving student success.

Committee Composition

The Committee is comprised of the Director of Career Services, Persistence and Student Success (Chair), Retention Specialist, Director of Financial Aid, Director of Enrollment Management, Director of Educational Services Center, Human Resources Specialist, Math Success Specialist, two (2) full-time faculty members, STEM tutor, and Ex officio members (President, Vice President of Academic Affairs, Vice President of Student Affairs and Vice President of Administrative Affairs).

Committee Operations

1. Establish reliable predictors to identify students at-risk for non-completion early enough, so appropriate interventions can help students recover.
2. Utilize existing early warning systems to identify students at-risk for non-completion.
3. Identify intentional, intensive, structured, and proactive interventions, and/or referral sources to improve student success.
4. Develop proactive advising pathways and maximize College resources to support persistence and completion of at-risk students.
5. Facilitate information sharing and coordination among stakeholders responsible for the recognition, and application of various services necessary to improve student success.

Scheduled Meetings

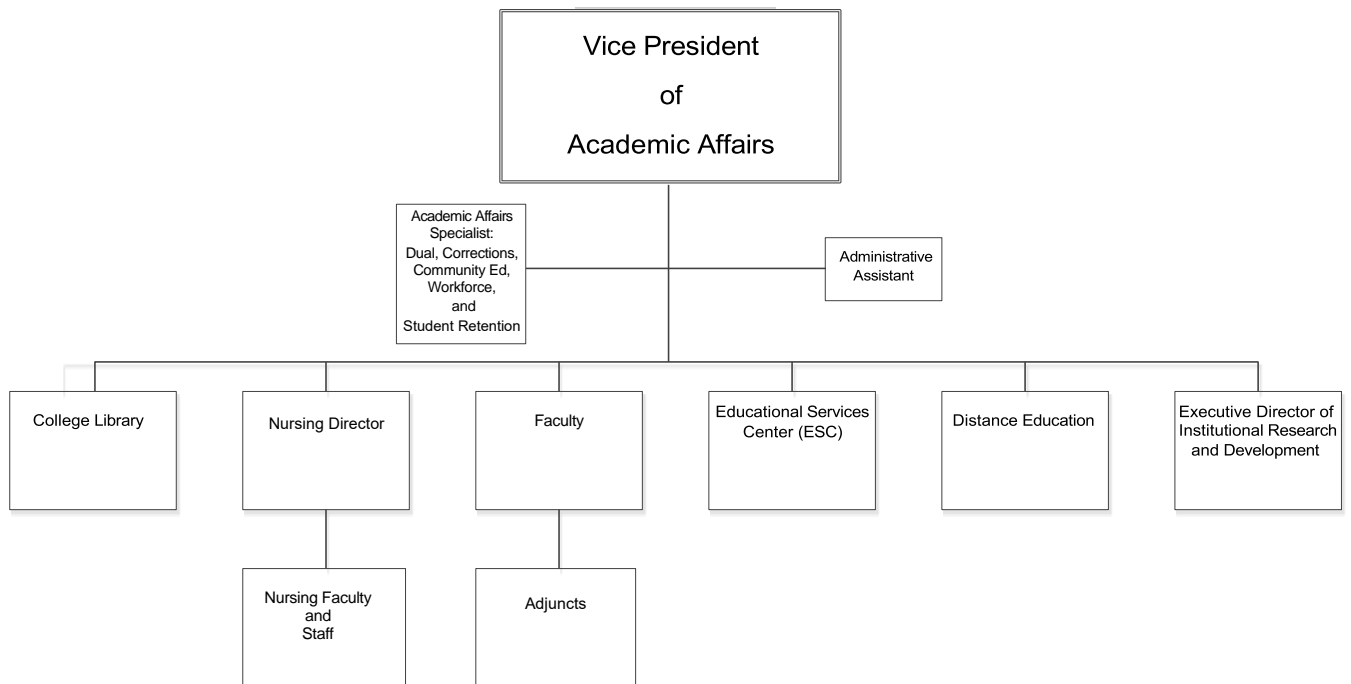
The Committee will meet every two weeks during the fall, spring, and summer semesters as well as immediately after key dates, i.e., dates aligned with existing early warning initiatives such as two weeks into the semester, TLC students, midterms, etc.

ACADEMIC AFFAIRS DIVISION

2.4

The Academic Affairs division is led by the Vice President of Academic Affairs, who is a member of the President's Executive Team and reports to the President. The Academic Affairs functional organizational chart follows:

Figure 2-Academic Affairs Division

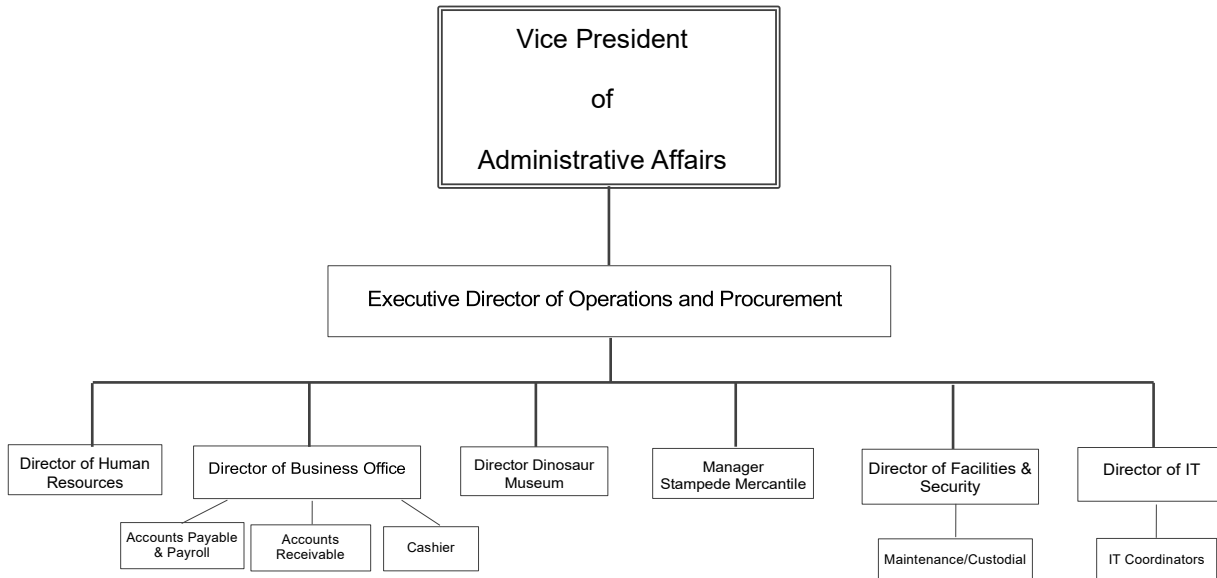


ADMINISTRATIVE AFFAIRS DIVISION

2.5

The Administrative Affairs Division is led by the Vice President of Administrative Affairs who is a member of the President's Executive Team and reports to the President. The Administrative Affairs functional organization chart is as follows:

Figure 3 Administrative Affairs Division

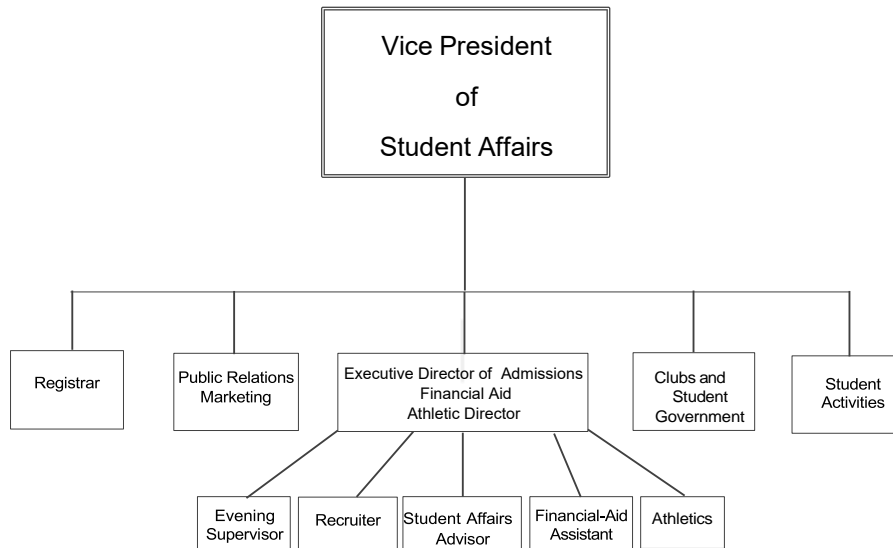


STUDENT AFFAIRS DIVISION

2.6

The Student Affairs Division is led by the Vice President of Student Affairs who is a member of the President's Executive Team and reports to the President. The Student Affairs functional organizational chart follows:

Figure 4 Student Affairs Division



SECTION 3

JOINING US

SELECTION OF NEW EMPLOYEES

3.1

Administrative Procedures for Position Authorization, Search, Screening, and Selection Handbook is available in the Human Resources Office. Applicant screening is a committee process using criteria as outlined in the *Administrative Procedures for Position Authorization, Search, Screening and Selection Handbook*. The President will interview all job candidate finalists and approve the hiring for all positions.

NEPOTISM

3.2

The practice of nepotism is prohibited. Nepotism is the practice of giving preferential treatment to near relatives in the areas of employment including, but not limited to, selection, benefits, pay, promotion, and discipline. Near relatives are defined as spouse, parent, children, siblings, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, or son-in-law and similar step relationships.

Near relatives will not work in the same department when there is a supervisory relationship between them.

Where there is a change in assignment that leads to the supervision of an employee by a near relative, one of the employees will be transferred to another department if possible. If transfer is not possible, one of the employees may be terminated.

No person may be employed who is a near relative of a current member of the Board of Trustees.

EMPLOYEE CLASSIFICATION

3.3

Exempt

Exempt personnel are at-will employees who serve at the discretion of the Board of Trustees. Exempt personnel include the President, Vice Presidents, department directors, temporary employees, and adjunct faculty. Exempt employees do not have grievance rights, and are not subject to the progressive discipline, and grievance procedures identified in Section 9 of this *Handbook*. Some exempt employees, as further explained in this handbook, do not receive employee benefits.

Non-Exempt

Non-exempt employees are those not identified in the previous paragraph as exempt. All employees who are non-exempt have grievance rights and are subject to the progressive discipline and grievance procedures identified in Section 9 of this *Handbook*.

TYPES OF EMPLOYMENT 3.4

REGULAR EMPLOYMENT 3.41

Regular employees are full-time or part-time staff, and faculty who are selected through the competitive hiring process.

Full-Time Staff and Administration

A full-time employee is one who works 30 or more hours per week. In the case of employees on less than 12-month contracts, full-time is as specified in the employee's contract or letter as appropriate.

Part-Time Staff and Administration

A part-time employee is one who works less than 30 hours per week.

Full-Time Faculty

A full-time faculty member is one who works a 170-day (or more) contract.

TEMPORARY EMPLOYMENT 3.4.2

The President, or appropriate Vice President may hire employees on a temporary basis without Board approval. There is no commitment expressed or implied to renew or extend the employment of any temporary employee. Temporary employees are exempt as defined in Section 3 of this handbook, and the term of employment is less than six months, 20 or more hours per week. Temporary employees are not on contract and do not receive benefits. Participation in educational retirement and retiree health care is required. Temporary employees do not have grievance rights and are not subject to the disciplinary and grievance procedures identified in Section 9 of this *Handbook*.

Adjunct instructors are considered temporary employees.

PART-TIME EMPLOYMENT 3.4.3

The appropriate Vice President may approve the hiring of individuals for part-time employment. Part-time employees are regularly scheduled to work less than 30 hours per week. Part-time employment is on a continuing basis. Part-time employees are not on contract and do not receive health care benefits or accrue

leave. Part-time employees receive paid holidays as listed in Section 5.6 of this *Handbook*. Part-time employees do not have grievance rights and are not subject to the disciplinary and grievance procedures identified in Section 9 of this *Handbook*. Part-time employees who work less than 20 hours per week on a sporadic basis will be termed "pool" employees.

IMMIGRATION REFORM AND CONTROL ACT

3.5

In compliance with the Immigration Reform and Control Act, all newly hired employees (including off-site employees) are required to present documented proof, as provided for in Form I-9: Employment Eligibility Verification, of identity and eligibility to work in the United States. Employees will be required to furnish this information within three (3) working days of their start date; failure to do so will result in immediate termination.

Mesalands Community College participates in the E-Verify and New Mexico Hires programs.

CONDITIONS OF EMPLOYMENT

3.6

ASSIGNMENT AND TRANSFER

3.6.1

Assignment shall be based upon the qualifications of the employee and the needs of the College. Changes in assignment may be made at the discretion of the President or other administrative personnel.

EMPLOYMENT STATUS CHANGES

3.6.2

Discretionary Powers to Alter, Change, or Reduce Contractual Employment

The scope of employment is commensurate with the requirements of the instructional program or operating division and shall be subject to Mesalands Community College's sole discretion with regard to classification of positions, program needs, funding limitations, job assignments, determinations of reductions-in-force, any other changes in programs offered by the College, and terms and conditions of employment.

The President will determine the course(s) of action necessary to ensure the best utilization of college personnel. Circumstances may require or make it more advantageous to reassign personnel and/or reclassify positions. The reclassification of a position, and/or reassignment will normally be made prior to the beginning of the fiscal year.

The Mesalands Community College Board of Trustees, upon recommendation of the President, will determine the course(s) of action necessary to assure the College's ability to meet its financial obligations. Economic conditions at Mesalands Community College may require a reduction in salary, a reduction in work force, or both. Should the Board of Trustees determine a reduction in work force is

necessary, the notification deadlines as set forth in Section 3 of this *Handbook* shall be set aside.

RENEWAL OF EMPLOYMENT

3.6.3

Renewal of Employment Annually

There is no commitment, expressed or implied, to renew or extend the employment of any employee. Annually, the President will approve the names of college regular employees for renewed employment contracts or appropriate letters as appropriate.

The renewal of employment is contingent upon the needs of the College (including, but not limited to, such factors as availability of funds, enrollments, marketability of programs and program graduates, and other factors which impact the ability of the College to provide quality higher education to its students, and the past performance of the employee).

Grant Funded Positions

The continuation of grant-funded positions is contingent upon grant funds being available to Mesalands Community College. Grant-funded positions are at-will and do not have grievance rights for termination of employment due to elimination or reduction of the grant.

Any employee may be suspended or dismissed at any time during the fiscal year subject to Mesalands Community College's formal discipline/grievance procedures for reasons unrelated to elimination or reduction of the grant. See Section 9 of this *Handbook*.

NON-RENEWAL OF EMPLOYMENT

3.6.4

The College owes no further contractual obligation to any employee at the expiration of his/her contract or appointment letter. No employee, including the President, has any authority to give express or implied assurance of employment beyond any current contract period to any employee. For those employees hired based on restricted funding, notification of intent to offer employment renewal is contingent upon receipt of funding from the outside source.

1. Upon determination by the President, or appropriate Vice President, that an employee's employment is not to be recommended for renewal, the President or appropriate Vice President, shall give written notification no later than:
 - a. March 1 for Vice Presidents
 - b. March for Faculty Instructors
 - c. June 1 for all others
2. This notification is to be delivered in person by the College President, appropriate Vice President, or sent by certified mail to the last known address of the employee.

NOTE

This notification procedure shall be set aside should the Board of Trustees determine a reduction in force is necessary due to the economic conditions related to the College's ability to meet its fiscal obligations. This provision does not apply to an employee who has been suspended.

Reasons for Non-Renewal

The reasons for the determination not to renew the employment contract need not be stated.

LAY-OFFS AND REDUCTION TO PART-TIME STATUS

3.6.5

Because Mesalands Community College's programs must be expanded and reduced based on, among other things, funding from the New Mexico Legislature, the needs of industry, fluctuations in enrollments, declining enrollment, or insufficient student enrollment in a program, it is sometimes necessary to reduce the number of employees and/or change employees from full-time status to part-time status.

Persons retained as regular employees will be selected according to the skills needed to operate the programs involved, with length of service given consideration where more than one employee has the required skills and same level of job performance. The employee's job performance record and evaluations will be considered in the decision of which employees to retain.

DEMOTIONS

3.6.6

A regular employee may be demoted to a vacant position in a different grade for which he/she is qualified when the employee would otherwise be terminated because his/her position is being abolished due to a lack of funds or lack of work, there are no vacancies at the same job grade for which the employee is qualified, or when the employee voluntarily requests such a demotion. Demoted employees will receive a reduction in pay commensurate with the position.

INTERNAL APPLICANTS

3.6.7

An employee who applies for an open position at Mesalands Community College must be aware that his/her performance in the current position will be considered. Hiring decisions are not grievable (see Section 9 of this *Handbook*).

PERFORMANCE EVALUATIONS

3.7

The performance of each employee may be evaluated continuously, and a formal evaluation report may be prepared by an immediate supervisor for review prior to consideration or recommendation that a new contract for reemployment be offered to the regular employee. The employee is provided an opportunity to review, discuss, and offer additional comments on the evaluation report, but will be required

to sign the evaluation report acknowledging that the employee has read it and received a copy of the report. If the employee so desires, he/she may submit a written and signed response to the evaluation within five (5) business days, which will be attached to the evaluation filed with the Human Resource office.

PERSONNEL FILES

3.8

Inspection

All information or material placed in the employee's personnel file and originating within Mesalands Community College shall be available to the employee upon request for inspection with at least three days' notice to Human Resources and at such time as an appointment can be made with Human Resources. At no time will the personnel file be allowed to be taken by the employee out of the Human Resources office.

Examination of Derogatory Material

Any information or materials which are derogatory to an employee's conduct, service, character, or personality shall not be placed in an employee's file maintained in the Human Resources office unless the employee has been given a copy of the information or material.

Right to Respond

The employee has the right to respond in writing to anything placed in the file and have such a response placed with the material to which the response relates. The response must be made within five (5) working days of notification to the employee that such material has been placed in the file.

Confidential Materials

All references and information originating outside Mesalands Community College and information obtained within Mesalands Community College in the process of evaluating candidates for initial and continuous employment are considered confidential. These materials are kept separate from the personnel file and are not available for public inspection.

Confidentiality of Employee Information

No employee of Mesalands Community College may furnish lists of names and addresses or telephone numbers of employees to anyone, other than employees with the bona fide need to know, without the consent of the employee, except as required by law.

OUTSIDE EMPLOYMENT

3.9

Employees shall not engage in any other employment or activity that creates a conflict of interest, interferes with their duties to the College, compromises their

ability to effectively discharge their duties, or otherwise adversely affects the performance of their duties. Employees shall disclose in writing to their supervisor, and Human Resources, all employment other than employment with the College within five (5) business days of obtaining outside employment.

PROFESSIONAL DEVELOPMENT

3.10

Mesalands Community College encourages professional development through tuition reimbursement, participation in state and national organizations, and promotes attendance at meetings and seminars based on available resources. In some instances, Mesalands Community College courses may be provided to an employee at no cost to the employee when it has been determined by the appropriate Vice President, or the President, that the course is necessary for the development of specific job-related skills. Selected professional development activities are reported monthly to the Board of Trustees.

COPYRIGHTS AND PATENTS

3.11

COPYRIGHTS

3.11.1

Mesalands Community College regards copyrightable material such as, but not limited to, a book, manual, courses designed for distance education, computer programs, musical or dramatic composition, architectural design, painting, sculpture, or other comparable work developed by an employee as the property of the employee (author) unless:

1. The material is prepared under a grant or contract with specified ownership; or
2. The material is prepared as a specific part of the employee's Mesalands Community College assignment to include all materials needed to support course instruction regardless of modality, including videos, syllabi, online instructional content, etc. An employee's general desire to produce occupational or scholarly works is not such a specific Mesalands Community College assignment.
3. Mesalands Community College will claim copyright ownership in the name of the Board of Trustees of Mesalands Community College in those cases where:
 - a. A Mesalands Community College employee creates a copyrightable work while discharging a Mesalands Community College assignment; or
 - b. Mesalands Community College specially orders or commissions a "work for hire"; or
 - c. Mesalands Community College ownership is specified by terms of a gift, grant or contract with an outside party or sponsored program, or other agreement.

In any case in which an employee intends to develop copyrightable work for commercial dissemination, and such employee will make substantial use of Mesalands Community College resources in such project, the employee should consult the President in advance to determine whether and to what extent reimbursement of Mesalands Community College is appropriate.

Reimbursement should be made for such resources as computer time, staff personnel time, supplies, equipment, or facilities, but not including the use of library facilities or office space. Reimbursement may be made by assignment of a portion of the royalties produced by the commercial venture, lump sum payment, or any other mutually agreed upon arrangement.

Any dispute regarding copyrighted material, or the amount or method of reimbursement for use of Mesalands Community College resources in preparing copyrighted material, may be appealed from the President to the Board of Trustees. The Board of Trustees will then be responsible for interpreting the copyright policy.

PATENTS

3.11.2

Mesalands Community College encourages efforts by employees that might result in the creation of intellectual property which may be protectable by patent. Mesalands Community College recognizes that such efforts can be of value both to Mesalands Community College and the employee. Because such effort often involves a combination of employee and Mesalands Community College resources, it is appropriate for Mesalands Community College and the affected employee to have a policy that is mutually beneficial.

Mesalands Community College shall not claim rights to any invention resulting from efforts that are in no way supported by Mesalands Community College, or to which Mesalands Community College's contribution was negligible.

Mesalands Community College shall have the right, title, and interest to an invention, including the sole right to file patent applications thereon and the right to waive all or part of such right, when:

1. The invention was conceived or first actually reduced to practice in the performance of work under an agreement with Mesalands Community College, or under an agreement of Mesalands Community College with any third party.
2. The invention was directly related to the employee's duties at Mesalands Community College; or
3. The invention was made with more than a negligible contribution of Mesalands Community College funds, facilities, personnel, equipment, or technical information.

Each invention shall be submitted to the President for a determination as to ownership rights according to the following procedure:

1. The inventor shall report the invention in writing as soon as possible after work on the project commences and preferably within two months after conception or first actual reduction to practice, whichever occurs first. The report shall include a description of the invention, a statement describing the facts and circumstances of the invention process, and a written statement of concurrence from the

appropriate supervisor or director.

2. The President shall make an official determination as to ownership rights within 60 days of receipt of the information in (1) above.
3. In the event the employee disagrees with the determination of the President, the employee may appeal the President's decision in writing within 20 working days to the Board of Trustees. The Board of Trustees will take into consideration all relevant facts and circumstances and will issue a determination on the employee's appeal within 60 days of receipt of the appeal.

It is within the sole discretion of Mesalands Community College to file an application for a patent on any invention in which it has ownership interest. Likewise, it is within the sole discretion of Mesalands Community College to waive all or part of its rights to any invention, including the filing of an application for patent.

The terms and conditions of any waiver by Mesalands Community College of any of its rights to an invention shall be a matter of negotiation between Mesalands Community College and the employee and shall be determined on a case-by- case basis.

If Mesalands Community College determines to file a patent application in the United States or in foreign countries, the inventor shall always cooperate as requested by Mesalands Community College to assist in the preparation, filing and prosecution of patent application and the issuance and maintenance of any patents issuing. Costs relating to the patent application shall be borne by Mesalands Community College. Gross revenues received by Mesalands Community College--including option fees, license fees, royalties, and commissions of any description--resulting from the exploitation of the invention shall be shared 50% with the employee after deduction of all out-of-pocket costs incurred by Mesalands Community College while obtaining issuance and maintenance of the patent.

SECTION 4

YOU REPRESENT THE COLLEGE

CONDUCT

4.1

Institutions of higher education are entrusted with great resources and commensurably great responsibilities. They must meet their mission of teaching and service in ways that enrich the community that supports them and serve the students, parents, and alumni who, in joining the College community, become life-long members of the extended College learning family. Mesalands Community College employees play a key role in assuring that a high standard of ethical practice is maintained.

Mesalands Community College embraces the values expressed in these Principles of Employee Conduct and expects their observance by all its employees.

College employees are entrusted with public resources and are expected to understand their responsibilities with respect to conflict of interest and to behave in ways consistent both with law and with College Policy.

College employees are expected to be competent and to strive to advance competence both in themselves and in others.

The conduct of college employees is expected to be characterized by integrity and dignity, and they should expect and encourage such conduct by others.

College employees are expected to be honest and conduct themselves in ways that accord respect to themselves and others. College employees are expected to accept full responsibility for their actions, strive to serve others, and accord fair and just treatment to all.

College employees are expected to conduct themselves in ways that foster forthright expression of opinion and tolerance for the view of others.

College employees are expected to be aware of and understand those institutional objectives and policies relevant to their job responsibilities.

The College strives to provide its employees with a work environment that is professional and productive; a description setting forth of the duties of their job, access to relevant College policies and procedures; and the opportunity to exercise appropriate judgment and initiative in performing duties.

Mesalands expects its employees to follow the law and avoid conduct both on and off duty, which reflects poorly on the College.

Language

As a part of appropriate conduct, employees are expected to refrain from using profane language in their conversations on campus. The use of profane language is not appropriate in a professional setting, is offensive to others, does not set the example we wish to set for our students, and does not enhance the image we wish to represent to the public who may be visiting our campus.

COURTESY

4.2

Mesalands Community College is a service organization. Because of this, it is the duty of each employee to be courteous to every person who visits our campus--students, parents, alumni, or visitors--and all other employees as well. Public relations is everyone's responsibility. The courteous reception of a prospective student may be all that it takes to help him/her to make the decision to choose Mesalands Community College for his/her education. Courteous treatment of a current student may be all it takes to retain the student.

APPEARANCE

4.3

These appearance guidelines will be enforced by supervisors, divisional Vice Presidents, Human Resources Department, and/or the President.

Mesalands Community College expects all employees to exercise appropriate judgment about personal appearance, personal hygiene, and grooming to be most effective in the performance of their workplace duties. The College recognizes that personal appearance is an important element of self-expression and strives not to control or dictate appropriate employee appearance, specifically about jewelry or tattoos worn as a matter of personal choice.

In keeping with this approach, Mesalands Community College allows reasonable self-expression through personal appearance, unless 1) it conflicts with an employee's ability to perform his or her position effectively or within his or her specific work environment, or 2) it is regarded as offensive or harassing toward co-workers or others with whom Mesalands Community College conducts business and with whom it has contact.

DRESS

4.3.1

Appropriate dress for employees of an institution of higher education shall be defined within three categories: "Business Casual," "Smart Casual," and "Business Informal." Employees of Mesalands Community College shall adhere to "Smart Casual" and "Business Informal" standard. "Business Casual" days will be designated.

Smart Casual and Business Informal Dress

Slacks, Pants, and Suit Pants

Slacks that are like Dockers and other makers of cotton or synthetic material pants, wool pants, flannel dress pants, pants that match a suit jacket, and nice-looking dress synthetic pants are acceptable. Inappropriate slacks or pants include any that are too informal. This includes, but is not limited to, jeans, sweatpants, exercise pants, shorts, bib overalls, and any spandex or other form-fitting pants.

Skirts, Dresses, and Skirted Suits

Dresses, skirts, skirts with jackets, dressy two-piece knit suits or sets, and skirts that are split at or below the knee are acceptable. Dress and skirt length should be at a length at which you can sit comfortably in public. Short, and/or tight skirts are inappropriate for work. Mini-skirts, skorts, sun dresses, beach dresses, and spaghetti-strap dresses are inappropriate for work.

Shirts, Tops, Blouses, and Jackets

Shirts, dress shirts, sweaters, tops, and turtlenecks are acceptable attire for work if they contribute to the appearance of formal, professional dress. Most suit jackets or sport coats are also desirable attire for the office. Inappropriate attire for work includes, but is not limited to, tank tops, midriff tops, shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans, halter-tops, tops with bare shoulders or plunging necklines, sweatshirts, and t-shirts.

Shoes and Footwear

Conservative walking shoes, dress shoes, oxfords, loafers, boots, flats, and dress heels are acceptable for work. Athletic shoes, tennis shoes, flip-flops, and slippers are not acceptable in the office.

Business Casual shall be worn on days of the week (such as Thursdays) designated by Administration. Acceptable dress on this day can be defined as: dress shirts or Mesalands logo polo's or T-shirts, khakis pants, capri pants, and/or jeans can be worn. However, they cannot be torn or have a modern worn look, soiled, or tattered for design or acid washed. No flashy prints or inappropriate language or logos on clothing will be permitted.

Appropriate dress for faculty in shop/laboratory and custodial/maintenance personnel shall be defined as clothing that meets reasonable standards of neatness and cleanliness and the safety requirements of a given employee's position.

Dress for Work Study and Peer Tutors should meet reasonable standards appropriate to the area of work. This cohort should adhere to standards of dress consistent with the "Business Casual" model when appropriate to their work environment and all above standards provided including those pertaining to body art and piercings.

BODY ART

4.3.2

Mesalands Community College permits employees to wear jewelry or to display tattoos at the workplace within the following guidelines. Factors that management will consider in determining whether jewelry or tattoos may pose a conflict with the employee's job or work environment include, but are not limited to:

1. Personal safety of self or others, or damage to College property.
2. Productivity or performance expectations.
3. Potentially offensiveness to co-workers, customers, vendors, or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature.
4. Corporate or societal norms.
5. Customer Complaints.

If management determines an employee's jewelry or tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewelry, covering of tattoos, transfer to an alternative position, or other reasonable means to resolve the conflict.

GETTING ALONG WITH OTHER EMPLOYEES

4.4

As we get along with those around us, efficiency and satisfaction on the job increases. In getting along with co-workers, consideration for others can go a long way. Punctuality and dependable attendance are important in maintaining good relations with co-workers.

CONFIDENTIALITY

4.5

Mesalands is governed by the Family Educational Rights and Privacy Act. Employees are expected to maintain confidentiality and not give information to unauthorized persons.

ATTENDANCE AT COMMENCEMENT SERVICE – 4.6

Commencement exercises are held at the end of the spring semester. All faculty are required, and staff are encouraged to march in the processional and recessional and wear formal regalia. The graduation of our students is the culmination of the reason Mesalands Community College exists.

SECTION 5

DAYS AND HOURS OF WORK

WORKING DAY

5.1

Hours and Days

Full-time employees will generally work 10 (ten) hours per day, Monday – Thursday. Starting and ending times for an hourly employee’s shift shall be designated by the appropriate Vice President. Mealtimes and durations may vary to ensure coverage during office hours. Employees other than full-time will work as scheduled by the appropriate supervisor. Days and hours worked (including holidays) may vary, particularly at the Museum, and for maintenance/custodial personnel. If an employee is an hourly employee and is pre-approved to work more than ten hours in one workday, the extra time must be recorded on his/her timesheet. Working off the clock as an hourly employee is an offense that can lead to termination or other disciplinary action. If you are working more than 40 hours per week, this is considered overtime and must be approved by your immediate supervisor. Please see Section 5.2.

Attendance and Punctuality

An employee's regular attendance on the job is important to Mesalands Community College's operation. If an employee is unable to report by his/her scheduled start-time, the employee is required to notify the immediate supervisor with as much advance notice as possible, but at least within the first half hour of his/her scheduled work time. Employees reporting late are expected to make up the time on the same day and record the differentiation on their time sheet where appropriate. Frequent or unexplained absence(s) from work or tardiness in reporting to work seriously impairs the value of the employee's services to the College and will be considered sufficient cause for disciplinary action, up to and including termination.

Breaks

Employees of Mesalands Community College may take a Fifteen-minute break within the first half of their ten-hour work assignment and a Fifteen-minute break in the second half of their ten-hour work assignment. Mesalands Community College is not obligated to provide such breaks but is pleased to provide these rest periods provided the needs and interests of the public and the College are considered before any breaks are taken. All break schedules must be approved by the supervisor. Break time cannot be accumulated and must be taken in its entirety at the prescribed time. It is not to be used to extend lunch periods or shorten the workday.

TIME SHEETS

5.2

All employees who are not exempt from the Fair Labor Standards Act must fill out time sheets as per College processes which may be online using the College intranet, paper forms, or both. Time sheets must be verified and signed by the immediate supervisor and the appropriate Vice President before being forwarded to the Business Office. Time sheets are for a one-week period and are due with all required signatures in the Business Office by 3:00 p.m. on Mondays following the week for which time was kept. Time sheet deadlines may occasionally be altered by the Business Office. Any time worked more than 40 hours per week must be approved on an Overtime/Comp Time Off Form by the supervisor and appropriate Vice President before the work is performed and the form attached to the time sheet for that week. Working more than 40 hours in a week without prior approval by the supervisor, and Vice President is sufficient cause for disciplinary action up to and including termination.

Part-time

Part-time employees who work less than 30 hours per week should not exceed 30 hours, unless prior approval is obtained by following the overtime approval procedure outlined in the paragraph above.

Absences

All absences should be indicated on the time sheet.

OVERTIME PAY

5.3

In accordance with the Fair Labor Standards Act (FLSA), non-exempt employees are eligible for overtime pay. Overtime will be paid at one and one-half times the employee's normal rate of pay for hours worked in excess of 40 hours from Monday, 12:01 a.m. to Sunday, 12:00 midnight. To computing overtime, pay or compensatory time off, vacation, holiday, sick, or other paid leave is not included in the 40 hours.

FLSA exempt employees (including faculty, administrators, professionals, and supervisors) are not eligible for overtime pay.

ABSENCES

5.4

APPROVAL/NOTICE

5.4.1

STAFF

Employees are expected to have approval prior to taking leave. However, occasionally it may be necessary for an employee to be absent from work as a result of illness, injury, or other personal reasons. In such cases, the employee is expected to call the designated person in the employee's division (President's executive assistant, or Vice President's administrative assistant) with as much advance notice

as possible, but at least within the first half hour of the employee's scheduled work time and sign the Leave Request Form in the division designee's office immediately upon return.

FACULTY

Faculty requesting leave must have prior approval and file a Faculty Professional Leave Request with the Vice President of Academic Affairs detailing out-of-class assignments for classes that will be missed. In the case of illness or emergencies, faculty should call the administrative assistant for the Vice President of Academic Affairs office at least 15 minutes prior to the faculty member's first scheduled class. Faculty are expected to sign the *Leave Request Form* in the administrative assistant's office immediately upon return.

ABSENCE WITHOUT LEAVE

5.4.2

Failure to Notify

The employee is responsible for notifying Mesalands Community College of absences in the manner stated in this handbook. An absence without the proper notice and approval is regarded as job abandonment and constitutes a resignation by the employee.

The requirement to notify is waived only in the case where the employee is prevented from giving notification, or having someone else notify, due to events beyond his/her control, as determined by Management. As a condition for reinstatement, the employee will be required to demonstrate that notification was given as soon as possible.

INCLEMENT WEATHER POLICY

5.5

Listed below is the Inclement Weather Policy for Mesalands Community College.

1. President (or Vice President for of Academic Affairs if the President is not available), in concert with the Executive Team, will determine if, due to inclement weather
 - a. Classes are cancelled or delayed.
 - b. College is closed.
2. The College will try to make decisions that impact cancellations, closures, or delays by 6:00 a.m. or 3:00 p.m.
3. President will contact Director of Public Relations who will contact the media and post announcements on the College website, Facebook, and to the answering system.

Those outlets on the notification list include:

- a. KTNM/KQAY (Radio) – Tucumcari
 - b. KOAT (TV) – Albuquerque
 - c. KRQE (TV) – Albuquerque
 - d. KFDA (TV) – Amarillo
4. Employees and Students will receive a text message and an email via the Emergency Alert System (EAS).
5. Essential On Campus Staffing
- a. Building and Grounds Supervisor (and necessary grounds crew) as determined by the Director of Facilities and Procurement
 - b. Technology Staff as determined by the Director of Facilities and Procurement

HOLIDAYS

5.6

Only regular full-time employees on 12-month contracts, regular part-time employees, and other employees designated as eligible in the employment agreement are eligible for paid holidays if the employee is on a pay status, including paid leave status the day before and the day after a holiday. Part-time regular employees will receive four hours of pay for each recognized paid holiday only if they were scheduled to work that holiday. If the employee is only scheduled to work two hours on that day the holiday pay will be for two hours. Days recognized as official employee holidays for the fiscal year are subject to change from time to time and specific dates will be published and distributed to employees. The following holidays are normally observed and are included on the current Institutional Calendar published by the College.

Table 1 Mesalands Community College Holidays

HOLIDAY	REGULAR FULL-TIME EMPLOYEES (on pay status)	REGULAR PART-TIME EMPLOYEES (on pay status; four hours per day)	FACULTY (not included in contract days)
Independence Day	X	X	X
Labor Day	X	X	X
Thanksgiving Week	X	X	X
Winter Break	X	Two Days	X
Martin Luther King, Jr. Day	X	X	X
Spring Break	X	One Day	X
Spring Friday	X	X	X
Memorial Day	X	X	X

SECTION 6

COMPENSATION

SALARY **6.1**

HIRING SALARY **6.1.1**

Regular Positions, Including Full-Time Faculty

Education level, academic market by discipline, needs of the College, and experience are considered in determining the salary at the time of hire. The President is authorized by the Board of Trustees to determine and approve offers.

Adjunct Faculty

Under-full, Full, Overfull Class Computation and related Compensation for Adjunct/Overload/Overfull and Independent Study Instruction. The pay scale for adjunct and overload faculty is approved by the President and is available in the Human Resources Office. However, the guiding principles shall apply:

1. A class that is offered is considered viable only after 10 students or more are enrolled
2. “Under full” classes that have less than 10 students enrolled, will be compensated at the percentage of 10 that are enrolled (e.g., 3 students mean 3/10 of the total)
3. The student seating size of a classroom determines the class cap for live instruction
4. Online classes are considered “Full” when enrollment is at 30 students
5. Classes for incarcerated students are considered “Full” when enrollment is at 20 students
6. Full classes will not be split until 10 additional students are added to either Online or Incarcerated student classes, making the classes “Overfull”
7. When an “Overfull” condition occurs, the faculty will be paid an “Overfull” payment for each student enrollment above the “Full” level
8. The “Overfull” compensation per student will be equal to the pay for an independent study student

9. Full-time faculty are expected to be accommodating to the needs of independent study requests by students who have been responsible in adhering to their plan of study, or who have signed up for classes that are at risk of being cancelled due to low enrollment. Faculty may also accommodate the needs of other independent study requests at their discretion. The Vice President of Academic Affairs has the requisite forms for such requests.

Employee Groups

Regular employees of Mesalands Community College, other than senior administrators, are placed in one of the following groups for determination of salary at the time of hire and the salary cap, which an employee's salary cannot exceed except under the special circumstances stated above:

Faculty Professional
Custodial/Maintenance
Secretarial
Technical/Specialists
Aides/Clerks

Each job shall be assigned an employment group which includes consideration of essential skills needed and level of responsibility required by the job.

All positions are subject to review annually.

Professional, Faculty, and Adjunct Faculty positions are required to provide the Human Resources office with an official transcript of all degrees earned, before initial compensation will commence.

PAY INCREASES

6.1.2

Pay increases are contingent upon college funding, experience, and satisfactory work performance. You must be performing at the "Average" level, 3.0 or better, on the performance evaluation/appraisal form to be eligible for a salary increase. In addition, an employee performing below an "Average" level, 3.0 or better, in two or more sections of their evaluation/appraisal form, is ineligible for a salary increase. The President recommends pay increases to the Mesalands Community College Board of Trustees after considering the College's finances. If the salary increase approved by the Board would cause an employee's salary to exceed the relevant salary cap, the employee will receive only an increase equivalent to reach the cap. The Human Resources office will send out a memo notifying employees of any change in pay.

Education

Academic increases are given when a regular employee completes and receives an associate's, bachelor's, master's, or doctorate's degree beyond the degree required for the position. Academic increases are \$2,000, to the extent that the increase will not exceed the salary cap. Multiple degrees at a given level will not receive an academic increase.

Timing

Academic increases, if any, go into effect once the Human Resources office receives transcripts showing completion of the required degree.

BENEFITS

6.2

Employees in grant-funded positions are not eligible for benefits that the College voluntarily provides its employees, such as educational benefits, unless the benefit is specifically funded by the grant.

BASIC LIFE INSURANCE

6.2.1

All benefit eligible employees are provided with basic life insurance in the amount of \$50,000 paid for by Mesalands Community College. The level of basic life insurance provided is subject to change and is at the discretion of the Board of Trustees.

HEALTH AND DISABILITY INSURANCE

6.2.2

Eligibility

Full-time employees may enroll in medical, dental, vision, and/or long-term disability insurance from carriers awarded contracts through the New Mexico Public Schools Insurance Authority. A portion of the costs as provided by law and approved by the Board of Trustees are paid by Mesalands Community College. The remaining costs are paid by the employee. Information regarding additional insurance coverage available to eligible employees may be obtained in the Human Resources office. The employee pays the full cost of additional coverage.

Affordable Care Act

If you have an offer of health coverage from your employer that meets certain standards, you will not be eligible for a tax credit through Healthcare.gov and may wish to enroll in your employer's health plan. However, you may be eligible for a tax credit that lowers your monthly premium or a reduction in certain cost sharing if your employer does not offer coverage to you at all or does not offer coverage that meets certain standards. If the cost of a plan from your employer that would cover you (and not any other members of your family) is more than 9.5% of your household income for the year, or if the coverage your employer provides does not meet the "minimum value" standard set by the Affordable Care Act, you may be eligible for a tax credit.

Note

If you purchase a health plan instead of accepting health coverage offered by your employer, then you may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution -as well as your employee contribution to employer offered coverage- is often excluded from income for Federal and State income tax purposes.

Enrollment

Eligible employees may enroll in any or all the insurance plans within 30 days of employment.

Changes in Personal Status

All employees enrolled in group insurance benefits must notify the Human Resources office by completing the Change Form for insurance of any changes in name, address, marital status, or status of dependents within 30 days of the change in status.

Premiums and Benefits

Current rate and benefit schedules may be obtained from the Human Resources office. The employee's portion of the premium is deducted each pay period. Deductions this month are the premiums for coverage next month.

Leave Without Pay Status Leave Without Pay Status

When a regular employee exhaust all accrued leave and is placed on leave without pay status, the employee shall pay the employee's and the employer's share of the insurance premiums, unless the employee is on Family and Medical Leave as discussed in Section 7 of this handbook. Insurance premiums while on leave without pay are due by the 30th of the month prior to the month of coverage.

Claims

An employee who is enrolled in an insurance plan makes claims directly to the insurance company.

Termination of Coverage

An employee who is enrolled in an insurance plan may terminate the insurance at the end of any month by informing the Human Resources office in writing and completing the appropriate change form. However, if premiums are deducted pre-tax (Section 125), changes cannot be made (unless there has been a qualifying event) except annually in September for premiums deducted beginning in October. Vision coverage cannot be dropped during the first two years of enrollment.

VOLUNTARY LIFE INSURANCE

6.2.3

Full-time employees may enroll in voluntary life insurance coverage within the first 31 days of employment with Mesalands Community College. The coverage amount can be one, two, or three times the contract salary. All premiums for voluntary life insurance coverage are paid by the employee.

COBRA BENEFITS

6.2.4

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the employer's health plan when a "qualifying event" would normally result in the loss of eligibility. Some qualifying events are retirement, resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; or a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays 100% of the cost of coverage at the employer's group rates. Employees or beneficiaries may be required to pay an administration fee.

The employer provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the employer's health insurance plan. The notice contains important information about the employees' rights and obligations.

COBRA information may be obtained at <https://nmopsia.com/>.

EDUCATIONAL RETIREMENT

6.2.5

Regular and part-time employees, except student workers, who work 10 hours or more per week are required to participate in the Educational Retirement Act (ERA) system, TIAA, or Fidelity.

Contributions

The ERA contribution rates are subject to change by legislative action.

Employee

Employees contribute a portion of their total earnings as provided by law. The amount is deducted from each paycheck and is credited to the employee's retirement account quarterly and is refundable if the employee resigns or is discharged prior to retirement.

Employer

Mesalands Community College contributes to the fund. The employer's

contribution is not placed in the employee's account and is not refundable to the employee upon resignation or termination.

Refund/Rollover

The employee may request at the time of separation the form necessary for requesting a refund or rollover of employee contributions to ERA.

A pamphlet published by the Educational Retirement Board is available online at NMERB.org. Please consult this pamphlet for a more detailed explanation of the benefits and the various retirement options available to members.

Other

Other optional retirement vehicles are available that can be contributed to in addition to educational retirement. More information is available in the Human Resources office.

Alternative retirement plan

Administrators, faculty, and professionals, whose positions are on the approved list, initially employed in a New Mexico institution July 1, 1999, or later, and who have never been a participant in the New Mexico Educational Retirement system, have options available to them for retirement. Information may be obtained in the Human Resources office.

RETIREE HEALTH CARE

6.2.6

All employees required to participate in educational retirement are also required to contribute to retiree health care.

Contributions

The New Mexico Retiree Health Care Authority (NMRHCA) contribution rates are subject to change by legislative action.

Employee

Employees contribute a portion of their total earnings as provided by law.

Employer

Mesalands Community College contributes to the fund.

Contributions to retiree health care are not refundable. A pamphlet published by the New Mexico Retiree Health Care Authority is available for further information at <http://www.nmrhca.org/forms.aspx>.

SOCIAL SECURITY AND MEDICARE

6.2.7

Mesalands Community College is required to withhold the pay of all employees, other than qualifying work study employees, the amount required by law for the Social Security Tax and Medicare. Employees contribute a portion of their total earnings as provided by federal law. The amount is deducted from each paycheck. Mesalands Community College contributes to the fund an amount equal to the employee's portion. The rates are subject to change by congressional action.

EDUCATIONAL BENEFITS

6.2.8

Approval

Approval for and reimbursement of tuition for all forms of study (related to the employee's job assignment) is contingent upon availability of funds, job performance, benefit to the College of the employee obtaining the additional education, and completion of course(s) with a grade(s) of C or better. An established budget will be set for each semester and funds will be distributed evenly among approved applicants. Reimbursement is for tuition only (paid by the employee with employee funds); all other fees must be paid by the employee. Approved reimbursements shall be a one-time payment after the grade report(s) have been received (within one month following the end of the semester). In order to be eligible for the reimbursement, the employee must have completed federal financial aid forms and not be eligible for federal grants. The *Educational Benefits Form* must be filed in the Human Resources office with appropriate signatures by the following deadlines.

May 1 – For summer semester classes that start prior to July 1.

July 1 – For fall semester classes that start prior to December 1.

December 1 – For spring semester classes that start prior to May 1.

Approval must be granted prior to the start of each class, or the employee will not be reimbursed.

Courses must be taken on the employee's own time. In addition, the College has no obligation to release employees to attend courses.

Employees pursuing post-associate degrees that are also taking associate level courses are eligible for reimbursement of a maximum of three credit hours per semester. All other conditions still apply.

In all cases, employees must submit a plan of study with the *Educational Benefits Form* in order to initiate a request for reimbursement.

Mesalands Community College Courses

This section of the Policy only applies to courses taken at Mesalands Community College where Mesalands Community College is the institution awarding credit.

Approval

Approval for any and all forms of study is contingent upon fund availability, job performance, supervisor approval, benefit to the College of the employee obtaining the education, and completion of the course(s) with a grade(s) of C or better. Benefit is for tuition only; all other fees, supplies, book cost, etc., must be paid by the employee, or eligible dependent, per College policies and timelines and will not be reimbursed. Before requesting tuition benefit, the employee must have completed the federal financial aid form and not be eligible for federal grants. The *Educational Benefits Form* that is used to request tuition benefit must be filed in the Human Resources Office with appropriate signatures by the following deadlines:

May 1 – For summer semester classes that start prior to July 1.

July 1 – For fall semester classes that start prior to December 1.

December 1 – For spring semester classes that start prior to May 1.

Approval must be granted prior to the start of each class, or the employee will not be reimbursed.

Courses must be taken on the employee's own time. In addition, the College has no obligation to release employees to attend courses.

The College, with permission from the President, reserves the right to make exceptions to the above deadline schedule in cases where courses are added after schedules are printed. This policy does not apply to courses that the College requires employees to attend at College or departmental expense.

Eligibility

Tuition benefit is available to regular full-time, as well as regular part-time employees and their dependent(s) as designated on the Free Application for Federal Student Aid (FAFSA) and spouses. In order to qualify for Mesalands Community College tuition benefit, dependent status must be established. Employees are required to provide proof of dependent(s) eligibility for tuition benefit each academic year. The maximum number of credit hours to be covered by this benefit per semester is six credit hours. Tuition charges for additional credit hours taken in a single semester will be the responsibility of the employee or student per the tuition policy at the time of enrollment.

Tuition benefit is not available for non-credit classes offered through Mesalands Community College such as community education courses.

Termination of Service or Eligibility

Should employment cease (or eligibility for this benefit otherwise cease) during an academic year, the benefit will continue through the end of the semester in which employment or benefits eligibility ceases and will end immediately thereafter. Dependent children who marry as undergraduates lose eligibility for tuition benefits beginning with the semester after the date of their marriage. If a divorce causes a student to lose eligibility, the student loses eligibility for tuition benefit beginning with the first semester after the date of the divorce.

Dropping, Withdrawing or Not Passing with a C or Better

If an employee or a spouse/dependent drops or withdraws from a course on or after the first day of classes, all or part of the tuition costs will be charged to the Mesalands Community College employee depending on the date of the withdrawal, per existing withdrawal policies. If an employee or a spouse/dependent drops a course and adds another course on the same day, tuition benefit will not be affected.

If an employee or spouse/dependent does not complete a class with a letter grade of C or better, it would then become the responsibility of the employee of Mesalands Community College to pay back the cost of tuition for that class.

Payments

Payments for any course associated costs other than tuition will be due per policies of the College at the time of enrollment. Tuition charges eligible for reimbursement will be deferred until the course is completed and the student can provide proof of final grades to the business office. Proof of final grades must be provided to the business office within ten (10) days of the grade being awarded or the employee will be responsible for all tuition charges. If the student presents proof of a grade of C or better, then tuition costs will be covered by the College and billed to the appropriate College department. If the student cannot present proof of a grade of C or better within 10 days of the grade being awarded, then the employee will be billed for the tuition charges and charges will be due per the policies of the College at the time of enrollment.

Effective Date

This policy became effective for enrollments after 11/11/2014. Any enrollments prior to 11/11/2014 are subject to the then existing policy and practice of the College.

Post-Associate Credits at Other Institutions

Tuition benefit is available to regular full-time employees for semester hour credits, 300-level or greater, earned at a regionally accredited college or university for a maximum of three credit hours per semester, with a maximum of 9 credit hours per year at no more than the cost for the respective undergraduate or graduate tuition rate at the University of New Mexico. Funds will only be applied to the first bachelor's or master's degree.

Employees seeking a second graduate specialty or degree (maximum of 3 credit hours per semester) may receive full reimbursement if the specialty or degree is deemed needed by the President.

Failure to Complete or Continuously Enroll/Employment Separation

If the employee is not continuously enrolled each semester (fall and spring) or separates (voluntarily or involuntarily) from employment at Mesalands Community College before completion of the plan of study, the employee must repay to the College any reimbursed tuition in excess of three credits per semester.

INJURY TIME/WORKERS' COMPENSATION

6.2.9

Employees injured on the job or suffering from occupational diseases, as defined in the New Mexico Workers' Compensation Statute, shall receive Workers' compensation benefits as prescribed by law.

Reporting Procedure

All job-related injuries, whether requiring immediate medical attention or not, must be reported to the Human Resource Office immediately with a notice of accident report to be filled out, but in any event, no later than fifteen (15) days following the accident. This is necessary to ensure proper and accurate processing of the injury and to ensure medical attention if necessary.

Medical Procedure

In all injury/illness incidents, which are clearly traumatic in nature, i.e., when a medical emergency occurs, the employee should go to the nearest emergency room or urgent care center.

Injury Time Compensation

An employee injured on the job may use accrued annual or sick leave for each regularly scheduled workday after the injury occurs for all such days not paid by Workers' Compensation. Workers' compensation payments received for all such days where annual or sick leave was received by the employee shall be paid directly to Mesalands Community College by Workers' Compensation. Annual or sick leave used by the employee in lieu of Workers' compensation shall be re-credited to the employee upon Mesalands Community College's receipt of the reimbursement by Workers' Compensation after the expiration of the statutory waiting period.

Modified Work Schedule

An employee returning from Workers' compensation disability shall return to light duty if a position for which the employee is qualified exists is available and the employee's physician certifies that the employee can return and perform the functions of the job. Light duty is defined either as performing the same job as the

employee held before the injury or as performing the duties of another position for which the employee is qualified, for fewer than 10 hours each day or having reduced physical requirements for the full day or less than a full day. The times and conditions of light duty shall be determined by Mesalands Community college. All light duty is temporary in nature.

If an employee returns to work on a part-time basis and is not receiving full salary while still on injury time, Mesalands Community College will continue to pay the employer's share of benefits contributed by Mesalands Community College on a pro-rata basis, based on hours worked. If the employee requests family and medical leave, the rules and procedures in Section 7 will apply.

Reemployment of College Employees Injured on the Job

An employee who has received, or is due to receive, benefits pursuant to the Workers' Compensation Act, and who was unable to return to work as certified by his/her treating physician shall be rehired later if Mesalands Community College is subsequently hiring and:

1. The employee applies for his/her pre-injury job, a modified job similar to the pre-injury job, or any job that pays less than the pre-injury job;
2. The employee is qualified for the job for which he/she applies; and
3. The employee's treating health care provider certifies that the employee is fit to carry out the job duties.

Neither the insurance carrier, nor the employer, will be liable for the payment of Workers' compensation benefits for injuries sustained during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the employer.

WELLNESS BENEFITS

6.2.10

The College's Wellness Program allows a regular full-time employee and his/her dependents of at least 15 years of age to enroll in any HPE course at no cost to the employee. A part-time or temporary employee will be allowed to enroll himself/herself in any HPE activity course at no cost to the employee. Any employee who works a full 10-hour shift is allowed thirty minutes a day to use the Mesalands Community College gym or other exercise program.

MESALANDS COMMUNITY COLLEGE DINOSAUR MUSEUM AND NATURAL SCIENCE LABORATORY

6.2.11

Mesalands Community College employees enjoy the benefit of a 50% discount on admission prices to the Mesalands Community College Dinosaur Museum and Natural Science Laboratory for themselves, family, and guests. The employee must present his/her Mesalands identification card to receive this benefit.

EMPLOYEE SERVICE RECOGNITION

6.2.12

In an effort to recognize the hard work and dedicated service of its regular employees, Mesalands Community College will hold a reception each year at which full-time and part-time employees will be recognized based on their years of service to the institution. At the reception regular employees who will have completed 5, 10, 15, 20, 25, or 30 years of service that year will receive service awards that have been designed for Mesalands Community College for this purpose.

YOUR PAY

6.3

PAY DAYS

6.3.1

Normal Pay Days

Pay days are every other Friday.

Methods Of Payment

Pay is distributed through direct payroll deposit into the employee's account at any participating banking institution. The direct payroll deposit statement is available in mymesalands.edu.

Any problems with direct deposits, payroll amounts or deductions should be brought to the attention of Human Resources immediately.

Final Pay

A terminated employee will be paid the final pay owed to him/her by the College within five days of the effective date of termination. Employees who resign will receive the final pay on the next regular pay date following the effective date of resignation.

Amounts Due to the College

At the time of termination or resignation any amounts owed to the College will be deducted from the final pay amount.

PAYROLL DEDUCTIONS

6.3.2

The following deductions are required by law:

Table 2 Payroll Deductions Required by Law

DEDUCTION	PAYROLL LABEL
Federal Withholding Tax	FWT
Social Security Tax	SST
Medicare	MED
Educational Retirement OR Alternative Retirement Plan	ERA or ERA2 ARP
Retiree Health Care	RHCA

Voluntary deductions include:

- Annuity contract payments (TIAA-CREF)
- Voluntary Life Insurance Premiums
- Employee's portion of group insurance (medical, dental, vision, long-term disability)
- Additional insurance premiums (cancer, heart, short-term disability)

Companies who wish to enroll employees in their company programs through Mesalands payroll deduction must have at least 20% full-time Mesalands Community College employee participation to do so. Any company soliciting participation from employees must first receive approval through the Human Resources office.

GARNISHMENTS

6.3.3

A garnishment is a court document ordering the College to pay an employee's debts before issuing his or her paycheck. If a creditor obtains a garnishment on an employee's earnings, the College is required by law to deduct the necessary payment from the employee's wages.

SECTION 7

LEAVE

PAID LEAVE 7.1

GENERAL 7.1.1

Various types of leave are available to regular full-time employees of Mesalands Community College. Some leave types are available only to certain groups of employees, as is noted in the explanation of each type of leave.

Leave Request Form Processes

Leave requests of all types are to be processed as per current practice as determined by the Human Resources Office and approved by the President. Such processes may be through the campus intranet or through paper forms, or both. The forms are available at mymesalands.edu.

Balances and Charges

Accrued balances for sick, personal, and annual leave can be found on the direct payroll deposit statement of the eligible employee each pay period on mymesalands.edu. Sick and annual leave are accrued per pay period. Leave will be charged against accrued balances each pay period.

Time Sheets

Employees who are required to submit weekly time sheets should indicate all absences on the timesheet.

SICK LEAVE 7.1.2

Sick leave is regarded as an important employee benefit and may only be used in the case of illness or injury of the employee or of an immediate family member or for medical sick leave. Immediate family is defined as spouse, parent, child, or legal dependent.

Accrual

Regular employees on full-time status accrue ten hours of sick leave per every 20 days worked (or as defined in the employment agreement) and may accumulate up to a maximum of 480 hours. Part-time and temporary employees do not accrue sick leave. No sick leave is accrued while an employee is on leave without pay. Sick leave is accrued on an hourly basis each pay period.

Sick Leave Charges

Medical sick leave (e.g., medical appointments) must be taken in two-hour increments. Time charged to sick leave may not exceed the employee's accruals. An employee may elect to charge sick leave to annual leave accruals. Sick leave absences will automatically be charged to accrued annual leave after sick leave accruals are exhausted. When sick and annual leaves are exhausted, the College may elect to grant leave without pay. When a scheduled holiday falls during a time an employee is on sick leave, the holiday will not be charged against sick leave.

Notice

If any employee is unable to report to work due to reasons allowed for sick leave, the employee must notify the designated person in the employee's division (President's Executive Assistant, or Vice President's Administrative Secretary) with as much advance notice as possible, but at least within the first half hour of his/her scheduled work time, and sign the *Leave Request Form* in the division designee's office immediately upon his/her return.

Faculty

In addition to following the requirements as listed for staff, the faculty must follow policy as outlined in §5.4.1 of this Handbook.

Prior Approval for Appointments

In instances, such as doctor appointments, the employee should give his/her supervisor as much notice as possible of an upcoming absence. The leave requests should be completed, and the required approvals obtained as early as possible prior to the absence.

Physician's Statement

The supervisor may request at any time an employee to furnish a physician's statement. If an absence exceeds three consecutive days, a physician's statement will be required. The physician's statement should certify that the employee was under the doctor's care during the period of absence and was unable to work. The College reserves the right to require a physician's statement that an employee is physically unable to return to work or is medically released to return to work. Statements from questionable websites are not acceptable.

Restrictions on Use

The use of sick leave may be restricted or prohibited when receiving benefits under some insurance programs, such as long-term disability. Restrictions can be found in the employee's insurance handbook.

Payment at Separation

If the regular employee has completed at least one full year of employment with the College at the time of separation, he/she will receive a lump-sum payment for one-third of the accumulated and unused sick leave, the employee has accrued, to be paid at the rate of pay in effect for the employee at the time of separation.

Grant-funded positions are ineligible for this benefit unless the benefit is funded by the grant.

PERSONAL LEAVE

7.1.3

Regular Faculty

Regular faculty will be allowed up to three working days for the fiscal year for personal leave without a deduction in pay. One and a half personal leave days will be available for use from July 1; the second day and a half will be available for use after January 1. Leave must be taken in two-hour increments. Personal days do not carry forward as personal leave to the next fiscal year if not used. However, unused personal leave for the fiscal year on June 30 will revert to sick leave. There will be no payment for unused personal leave at the end of any fiscal year or in the event of separation.

10-month Full-time Employees

Full-time employees on 10-month contracts will be allowed up to four working days for the fiscal year for personal leave without a deduction in pay. Two personal leave days will be available from the beginning of the contract; the other two days will be added to personal leave midway through the contract. Leave must be taken in two-hour increments. Personal days do not carry forward as personal leave to the next fiscal year if not used. However, unused personal leave for the fiscal year on June 30 will revert to sick leave. There will be no payment for unused personal leave at the end of any fiscal year or in the event of separation.

11-month Full-time Employees

Full-time employees on 11-month contracts will be allowed one working day for the fiscal year for personal leave without a deduction in pay. Four hours of personal leave will be available from the beginning of the contract; the other four hours will be added to personal leave midway through the contract. Leave must be taken in two hour increments. Personal days do not carry forward as personal leave to the next fiscal year if not used. However, unused personal leave for the fiscal year on June 30 will revert to sick leave. There will be no payment for unused personal leave at the end of any fiscal year or in the event of separation.

Regular Full-time Employees

Regular full-time employees will be allowed up to two working days for the fiscal year for personal leave without a deduction in pay. One personal leave day will be

available for use from July 1; the second day will be available for use after January 1. Leave must be taken in two-hour increments. Personal days do not carry forward as personal leave to the next fiscal year if not used. However, unused personal leave for the fiscal year on June 30 will revert to sick leave. There will be no payment for unused personal leave at the end of any fiscal year or in the event of separation.

Prior Approval

Personal leave should be approved prior to taking it. In an emergency situation the appropriate Vice President may give approval on the phone. The Vice President should notify the Human Resources office of personal leave approved by phone. Prior to the leave (or in the case of emergency) the employee must notify the designated person in the employee's division (President's Executive Assistant, or Vice President's Administrative Secretary) with as much advance notice as possible, but at least within the first half hour of his/her scheduled work time, and sign the *Leave Request Form* in the division designee's office immediately upon his/her return. Faculty must follow notification requirements found in the *Faculty Handbook*.

Restrictions

Personal leave for faculty will not normally be approved during the five days prior to each semester, or the first five or last five instructional days of each semester or term except in the case of an emergency. Only the Vice President of Academic Affairs can approve personal leave under these circumstances. Personal leave for regular full-time employees will not normally be approved during the two-day enrollment period before the beginning of each semester, or for graduation day, except in the case of an emergency. Only the appropriate administrator can approve personal leave under these circumstances.

ANNUAL LEAVE EMPLOYEES ON 12-MONTH CONTRACTS

7.1.4

At the end of each semi-monthly pay period, only regular full-time employees on 10-month, 11-month, or 12-month contracts will be credited with the amount of annual leave earned.

Non-exempt Personnel on 12-month Contracts

Employees in FLSA non-exempt positions on 12-month contracts will be credited with annual leave earned each pay period. Those with 0-4 years' service earn 88 hours annual leave each fiscal year; 5-10 years' service, 104 hours; 11 and more years' service, 128 hours. Maximum accrual allowed is two times the annual leave earned per year.

Exempt Personnel on 12-month Contracts

Employees in FLSA exempt positions on 12-month contracts will be credited with annual leave earned each pay period. Those with 0-10 years' service earn 120 hours annual leave each fiscal year; 11 and more years' service, 144 hours. Maximum accrual allowed is two times the annual leave earned per year.

Divisional Vice Presidents

Divisional Vice Presidents will be credited with annual leave earned each pay period. Divisional Vice Presidents earn 192 hours of annual leave each fiscal year. Maximum accrual allowed is three times the annual leave earned per year.

New Employees

Accrual begins for new regular employees the first pay period the employee works at least 40 hours.

Accruals in Excess of Maximum

All excess leave above the maximum accrual remaining at the close of business on June 30 will be forfeited and deducted from the annual leave balance. **Employees are individually responsible for monitoring their leave balance.** Once the leave has been forfeited, it will not be returned for any reason. If an employee is in danger of losing vacation days due to work demands, please see Mesalands Community College exception to the “Accruals in Excess of Maximum” Policy procedures below.

Mesalands Community College recognizes sometimes work demands prevent an employee from taking all available vacation days. In an effort to accommodate employees given special workloads which effectively made it impossible for an employee to take the vacation days due them, Mesalands Community College is adopting a limited exception to the “Accruals in Excess of Maximum” Policy. Employees prohibited in writing by the College President, Vice Presidents or Directors from taking annual leave during a period of two months or greater to satisfy assigned work assignments or responsibilities will be permitted carry over to the following contract year of all excess annual leave above the maximum accrual remaining on the close of business on June 30 of the year annual leave was accrued. Under these limited circumstances, the employee will be permitted to use this carryover accruals for leave only and not for any payout of accrued leave. Under no circumstances will the excess annual leave carried over be used to calculate payout amounts if the employee’s employment relationship with Mesalands Community College is voluntarily or involuntarily terminated. Employees who believe they meet the terms of this limited exception and seek to carry over their excess annual leave must make a request in writing and submit it to the Human Resources Director.

Prior Approval and Charges

Annual leave must be approved by the supervisor and the appropriate Vice President prior to the leave being taken. Requests for annual leave must be submitted in a timely manner and can be denied if circumstances do not permit the employee to be absent during the time of the leave request.

Restrictions

Only continuous employment at Mesalands Community College shall count toward determining the entitlement as based on the annual leave schedules. Mesalands Community College reserves the right to schedule an employee's annual leave in accordance with the needs of the College with due consideration given to the employee’s preference. Employees will not be allowed to use annual leave beyond

the hours accrued.

An employee who has worked fewer than 40 hours in a pay period at the time of termination will not be allowed any annual leave accrual for that pay period.

Employees that have a teaching requirement may not take annual leave during the semester's scheduled days of instruction.

No annual leave is accrued while an employee is on leave without pay. When an annual leave period includes a paid holiday, the time is not charged as a day of annual leave.

Payment at Separation for Annual Leave Accrued but Not Used

At the time of separation, the eligible employee will be paid for annual leave accrued, but not used, up to the maximum allowable accrual for such an employee. Grant-funded positions are not eligible for this benefit unless the benefit is specifically funded by the grant.

Employees in Grant-Funded Positions

Employees paid from grant/restricted funds who are terminating their employment must either: (1) take their accrued vacation during the contract period in which they are terminating their employment; or (2) terminate in sufficient time prior to the end of the contract period to use accrued annual leave or forfeit any unused accrued annual leave.

BEREAVEMENT LEAVE

7.1.5

When a death occurs in the family, immediate family (spouse, domestic partner, parent, grandparent, child, grandchild, sibling, or stepfamily) included in the description above, a regular full-time employee may request up to thirty hours bereavement leave. Extra unpaid leave may be granted. Authorized bereavement leave is not chargeable against the regular employee's annual leave or sick leave. If time permits, the employee should process the leave request on Mesalands Community College forms prior to departing. If this is not possible, or during an emergency, the leave may be authorized by the appropriate Vice President or his/her designee by telephone, email, or text. The administrator authorizing the leave shall report this to the Human Resources office in writing.

PROFESSIONAL LEAVE

7.1.6

Professional leave with pay may be granted for participation in Mesalands Community College related professional activities upon the approval of the President or appropriate Vice President.

COURT LEAVE

7.1.7

Leave with full pay will be granted a regular employee to respond to legal processes for the College, or for jury duty which requires an absence from duty. To avoid double payment, the employee shall turn in any payment provided to the employee by the court except for mileage. If jury duty is cancelled, the employee must report to work as scheduled.

Leave may also be requested by an employee to appear in court to assert or protect his/her own interests. The employee shall use accrued personal leave balances, earn accrued annual leave, or leave without pay for such purposes.

Leave Request

The employee under the above circumstances must fill out a leave request and receive prior approval before being absent and give their supervisor as much notice as possible so that proper planning can be accomplished to cover the employee's absence. Employees who have been notified for jury duty should attach a copy of the notice to the leave request.

PATERNAL LEAVE

7.1.8

Employees who are eligible for leave under the Family Medical Leave Act (FMLA) will have parental leave processed in conjunction with the provisions of the FMLA Policy, Employee Benefits, Section 7.2.3, regarding election of paid/unpaid leave, continuation of insurance coverages, etc. Employees who are not eligible for FMLA will be eligible for a maximum of six weeks of parental leave. Mesalands Community College requires an employee to use all of the employee's accrued and unused vacation days, personal days, and sick days to cover the leave. No vacation or sick leave will accrue while an employee is on parental leave.

Nursing Mothers

Upon return from parental leave, nursing mothers will be provided reasonable break time to express milk for her nursing child.

MILITARY LEAVE

7.1.9

PAID MILITARY LEAVE FOR RESERVE OR NATIONAL GUARD ACTIVITIES

Paid military leave is granted for authorized reserve or National Guard activities for a maximum of 15 working days during a one-year period. Military leave must be requested upon receipt of notice from the armed forces. The employee must furnish proof of duty orders or other documentation prior to leave being granted unless the leave is for emergency purposes.

The Uniformed Services Employment and Reemployment Rights Act (USERRA)

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed service, and applicants to the uniformed services.

Reemployment Rights

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

Right to be Free from Discrimination and Retaliation

If you

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service;

then an employer may not deny you any of the following because of this status:

- initial employment
- reemployment
- retention in employment
- promotion or
- any benefit of employment
- because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

Health Insurance Protection

If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. Even if you do not elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusion) except for service-connected illnesses or injuries.

Enforcement

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its [website at http://www.dol.gov/vets](http://www.dol.gov/vets). An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/elaws/userra.htm>.

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, for representation. You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. This notice was prepared by VETS and may be viewed on the internet at the following address: <http://www.dol.gov/vets/programs/userra/poster.pdf>.

ELECTION DAYS

7.1.10

An employee shall be given the necessary time off with pay for the following:

For purposes of a national, state, or local election, an employee who is registered to vote will be granted up to two hours paid leave for voting, between the time of opening and the time of closing polls, in accordance with law. The employee's supervisor may specify hours for the leave. This leave will not be granted to any employee whose workday begins more than two hours subsequent to the time the polls open or ends more than three hours before the polls close.

UNPAID LEAVE

7.2

LEAVE WITHOUT PAY

7.2.1

Mesalands Community College may grant leave without pay to an employee at the discretion of the division Vice President when the leave can be granted without interfering with college operations. This policy on leave without pay and reinstatement applies to all employees who take an unpaid leave of absence, except those on Family and Medical Leave (FMLA).

A regular employee may request leave without pay for up to one year for educational purposes or for personal reasons of an important nature. If the request is granted, and the leave is for more than two weeks, the employee shall pay 100% of his/her insurance premiums while in this status provided the leave is not identified as FMLA.

Regular employees who have teaching responsibilities shall be eligible for leave without pay only for the balance of the term in which the leave has begun.

Instructors may not receive leave without pay beyond the final date of their teaching

contract or end of the fiscal year, whichever is earlier.

An employee on leave without pay does not accrue vacation or sick leave or qualify for holiday pay. While on leave without pay an employee does not qualify for benefits, except those expressly provided for employees on FMLA.

POLICY ON REINSTATEMENT AFTER A LEAVE OF ABSENCE WITHOUT PAY **7.2.2**

While a leave of absence without pay is not recommended or granted except with the expectation of reinstatement, ***reinstatement is not guaranteed***. Operating conditions or needs may make reinstatement impractical when the reinstatement is requested.

Reinstatement is not a matter of employee rights. The determination of reinstatement or non-reinstatement will be at the discretion of the President.

An employee seeking to return to employment from a leave without pay must contact Human Resources at least 30 days prior to expiration of the leave. An employee who fails to request reinstatement is deemed to have voluntarily resigned.

An effort will be made to reinstate an employee to the same or equivalent job and salary held at the time of commencement of leaving if such a position is available and if it is in the best interest of the College.

If the employee refuses a position offered him/her, the College has no further reinstatement obligation.

Employees on leave of absence without pay for more than 30 calendar days will have their anniversary date (date in their current position) adjusted by the number of days spent on unpaid leave of absence.

The New Mexico Educational Retirement Board (NMERB) prohibits the payment of retirement contributions if the employee is not on paid status, therefore no contribution to ERA can be made during the time of leave without pay.

An employee reinstated from leave of absence within one year will be given credit for prior service in computing the accrual rate for vacation, sick leave, and other benefits.

FAMILY AND MEDICAL LEAVE OF ABSENCE

7.2.3

To be eligible for family and medical leave benefits, an employee must have worked for Mesalands Community College for a total of at least twelve months and have worked at least 1,250 hours over the previous twelve months. The 12-month period is measured backwards from the date the leave is first commenced. Eligible employees may receive up to a total of twelve work weeks of unpaid leave for the following reasons:

1. The birth and care of the employee's child.
2. The placement of a child for adoption or foster care.
3. To care for an immediate family member (spouse, child, or parent) with a serious health condition¹,
4. To take medical leave when the employee is unable to work because of a serious health condition; or
5. For active-duty family leave.

Eligible employees who are a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness, may receive up to a total of twenty-six workweeks of unpaid leave during a “single 12-month period” to care for the service member.

Employees requesting family and medical leave will be required to provide:

1. Thirty-day (30) advance notice when the need for leave is foreseen,
2. Medical certification prior to the leave starting that includes: (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) pertinent medical facts regarding the condition; and (4) the amount of time needed, and
3. Recertification as requested by Mesalands Community College.

If the leave is to care for another person, the certification must state how long the employee will be needed to provide care and that the serious health condition requires the employee to provide such care. If the leave is for the employee's own serious health condition, the certification must also state that the employee is unable to perform the essential functions of the employee's current position.

If Mesalands Community College has any doubt as to the validity of the certification, a second opinion may be required from a medical provider of Mesalands Community College's choice and at its expense. In addition, Mesalands Community College may require that a third opinion be obtained from a health care provider at the employer's expense. In such an event, the opinion of the third provider shall be final and binding.

Family and medical leave is unpaid; however, Mesalands Community College requires an employee to use all the employee's accrued and unused vacation days and personal days to cover the leave. If the leave is requested because of the employee's own serious health condition, the employee will also be required to exhaust any accrued sick leave. No vacation or sick leave will accrue while an employee is on family and medical leave.

¹Serious health condition means an illness, injury, impairment, or physical or mental condition that involves either in-patient care in a hospital, hospice, or residential health care facility or continuing treatment or supervision by a health care provider.

An employee returning from an approved family or medical leave of absence that does not exceed the maximum eligible length of leave will be reinstated to his or her original position or an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. There is no absolute right to return to the same position. A medical release to return to work from a leave taken because of the employee's own serious health condition will be required from the employee's health care provider. An employee who does not return to work at the end of an authorized leave and does not obtain an approved extension of leave pursuant to Mesalands Community College unpaid leave policy, Section 7 of this *Handbook*, will be regarded as having voluntarily resigned.

During an approved leave, Mesalands Community College shall continue to provide, if otherwise available, medical coverage under its group health plan on the same conditions that would have applied if the employee had not taken the leave. In no case will Mesalands Community College continue to pay for such coverage for more than 12 weeks in any 12-month period. The employee will remain responsible for paying the employee's portion, if any, of the insurance premium, including the premium for dependent coverage, if available. Failure to pay premiums on a timely basis may result in a lapse of coverage. Payment of premiums is due by the 30th of the month prior to the month for which the employee wishes to be insured. If the employee fails to return to work when the leave expires, the employee will be required to reimburse Mesalands Community College for the group health insurance premium paid by Mesalands Community College on behalf of the employee during the leave unless the employee fails to return because of a continuation, reoccurrence, or onset of a serious health condition that entitles the employee to leave under this policy or due to circumstances beyond the employee's control.

Intermittent leave or reduced work schedule will only be permitted when medically necessary or certified by the employee's or his/her immediate family members' treating physician.

Employees must make a reasonable effort to schedule their intermittent leave which is foreseeable based on planned medical treatments so as not to unduly disrupt Mesalands Community College's operations. While an employee is on intermittent family and medical leave, the employer may assign the employee to an alternative position with equivalent pay and benefits that better accommodates such period of intermittent leave.

SECTION 8

WORKING CONDITIONS

DISCRIMINATION AND SEXUAL HARASSMENT POLICY AND REPORTING PROCEDURES 8.1

DISCRIMINATION AND SEXUAL HARASSMENT POLICY 8.1.1

Policy

Mesalands Community College disapproves of, and will not tolerate, discrimination against employees, students, or visitors based on race, color, ancestry, religion, national origin, sex, age, physical or mental disability, serious medical condition, veteran status, spousal affiliation, sexual orientation, gender identity, or any other basis prohibited by federal, state, or local law. Mesalands Community College also prohibits the sexual harassment of its employees, students, or visitors. Any employee who engages in discrimination or sexual harassment will be subject to discipline and appropriate corrective action will be taken to prevent its reoccurrence. Any incidents of discrimination or sexual harassment by anyone, including non-employees, should immediately be brought to the attention of Human Resources, the Vice President of Academic Affairs, or the Vice President of Student Affairs

SEXUAL HARASSMENT 8.1.2

Definition of Sexual Harassment

The Equal Opportunity Commission has adopted guidelines which state that unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute "sexual harassment" when:

1. submission to the conduct is an explicit or implicit term or condition of an individual's employment,
2. the submission to or rejection of the conduct by an individual is the basis for any employment decision affecting that individual; or
3. the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. A hostile work environment may be one created, but is not limited to, where crude or vulgar language is used, inappropriate touching occurs, jokes of a discriminating or sexual nature are told, comments that demean an individual based on gender are made, unwelcome nicknames, such as "honey" or "sweetie" are used, and nude or partially nude individuals in photographs, calendars, magazines, books, etc., are displayed or disseminated.

Procedure

Any employee who feels that he or she has been discriminated against or has been the subject of sexual harassment by an employee, student, or vendor, or has witnessed such discrimination or sexual harassment, should follow this procedure in bringing the matter to Mesalands Community College's attention.

The employee or witness should promptly bring the matter to the attention of the Title IX Coordinator. This complaint should be made in writing.

The Title IX Coordinator shall immediately notify the President of Mesalands Community College. In the case the College President is the subject of the employee's complaint, the Title IX Coordinator shall immediately notify the Board of Trustees Chair.

The President shall authorize the Title IX Coordinator or designee to investigate the allegation. In the case the Title IX Coordinator is the subject of the employee's complaint, the President shall authorize a designee, or counsel for the College to investigate the allegation.

The Title IX Coordinator, designee, or counsel for the College will advise the person who allegedly engaged in the discrimination or sexual harassment of the charge, and the Title IX Coordinator or designee, or counsel for the College will conduct a thorough investigation of the allegation. The complaint will be kept confidential to the extent permitted by law.

After the investigation, the Title IX Coordinator, or designee, or counsel for the College Counsel will advise the President of the investigation results and the President will review the investigation results. The Complainant and Respondent will be notified of the investigation.

If a determination is made that discrimination or sexual harassment has occurred, appropriate disciplinary action, which may include discharge, may be taken.

Employees or witnesses who bring a good faith complaint of discrimination or sexual harassment to the attention of Mesalands Community College, or who assist another will not be retaliated against.

Although employees are encouraged to use the internal complaint procedure to resolve complaints of harassment or discrimination there is nothing in this procedure which precludes the employee from contacting the Equal Employment Opportunity Commission or the New Mexico Human Rights Division.

Inquiries regarding equal employment opportunity policies or the filing of complaints may be directed to: The Title IX Coordinator or Human Resources.

DUTY TO REPORT CHILD AND ADULT ABUSE AND/OR NEGLECT **8.2**

Mesalands Community College strictly adheres to the New Mexico Children’s Code as set forth in State Statute.

All employees, regardless of classification, are mandated reporters. Any employee who knows or has a reasonable suspicion that a child or adult is an abused or a neglected child/adult shall report the matter immediately to:

Statewide Central Intake (SCI), 1-855-333-7233 of #SAFE for both child and adults, which will in turn refer you to appropriate departments.

Anyone reporting an instance of alleged child or adult neglect or abuse or participating in a judicial proceeding brought as a result of a required report pursuant to state law is presumed to be acting in good faith and shall be immune from liability, civil or criminal, that might otherwise be incurred or imposed by the law, unless the person acted in bad faith or with malicious purpose.

DRUG-FREE WORKPLACE POLICY **8.3**

It is the policy of Mesalands Community College to provide a safe environment for its employees, students, and members of the public. Accordingly, Mesalands Community College adheres to the Drug-Free Workplace Act of 1988, the Omnibus Transportation Act of 1991, and any state and local law regarding the use, sale, distribution, or possession of alcohol and controlled substances on College property or at College events.

PROHIBITIONS **8.3.1**

Mesalands Community College forbids any employee or student from possessing, using, selling, distributing, or being under the influence of alcohol or drugs, and from possessing, using, selling, or distributing drug paraphernalia, while on college property, or while involved in student activities.

DRUG AND ALCOHOL TESTING POLICY **8.3.2**

Policy

It is the policy of the College to provide all employees, students, customers, and visitors with as safe a working environment and College premises, and to promote the safe and efficient performance of job duties including the safe operation of College equipment and vehicles. In order to do so, the College must establish certain policies and procedures regarding the use and possession of intoxicants including drugs and alcohol.

Mesalands Community College does not permit any individual to report to work or to continue to work under the influence of drugs or alcohol. This includes but is not limited to, alcohol (at or above 0.05% blood level), THC (marijuana, hashish), amphetamine/methamphetamine (“speed,” “crystal”), cocaine or crack cocaine, opiates (codeine, heroin, hydromorphone, hydrocodone), phencyclidine (PCP or “Angel dust”), or similar intoxicants or mind-altering substances, including so called “designer” drugs. College policy prohibits possession, use, manufacture, purchase, sale, and/or distribution by employees of any kind of drugs or alcohol on College property, which includes all the College’s parking lots and adjacent areas, and in College vehicles. College Policy prohibits employees from making arrangements for such acts while on College business or on College property. This policy does not prohibit the proper use of prescribed medication under the direction of a physician. However, abusing prescription drugs during work hours on or off College property is prohibited. Employees who take prescription or non-prescription drugs which could affect their ability to perform their duties, in a safe and efficient manner, are expected to immediately notify their supervisor of this fact when they report to work.

Finally, the unlawful possession, use, manufacture, purchase, sale, or distribution of intoxicants including drugs or alcohol, as well as any other mind-altering substance by an employee away from the College’s premises while off duty may also result in disciplinary action up to and including termination.

A. Alcohol/Drug Testing Based on Reasonable Suspicion

1. The Test

Testing of an employee during the employee’s normal working hours may be done in instances where there is reasonable suspicion that an employee is under the influence of a mind-altering substance, drug, and/or alcohol in violation of this policy. In such cases, the supervisor is to contact the Human Resources office for instructions. A reasonable suspicion determination will only be done after observation by two members of management.

The Human Resources office will review the situation with the supervisor immediately and determine if the employee is to be tested. If the decision is to test the employee and the employee refuses to be tested, he/she will be placed on administrative leave with pay and will be subject to disciplinary action, up to and including termination, for refusing to cooperate. If the employee agrees to be tested, the employee will be required to sign the *Informed Consent and Release of Liability Form*.

An employee designated for testing is to be taken by, and accompanied to, the testing site by the supervisor or designee. Following the test and return to the College, the employee is dismissed for the rest of the day after a positive test. The College will make reasonable efforts to assist the employee in obtaining transportation to their place of residence or to a relative or friend. The employee is not to return to work until told to do so by the supervisor.

2. Test Results

If the test discloses that intoxicants or mind-altering substances are present in the employee's system, the employee will be placed on administrative leave with pay pending the outcome of a review. Human Resources will work with the Vice President and the College President to review the situation and determine the appropriate disciplinary action.

Any evidence that the employee attempts to alter the results of the test may result in disciplinary action up to and including termination of employment.

B. Authorized Drug and Alcohol Testing

1. All applicants for safety-sensitive positions are required to submit to drug and alcohol testing after an offer of employment is made and prior to final selection for appointment.
2. Prior to final selection for promotion or transfer to a safety-sensitive position, the employee will be required to submit to drug and alcohol testing.
3. Employees in safety-sensitive positions are subject to random and reasonable suspicion drug and alcohol testing.
4. The College will require any employee to undergo drug and/or alcohol testing if the College has a reasonable suspicion that the employee:
 - a. is believed to be under the influence or otherwise in violation of this policy, or
 - b. is involved in an accident at work or in a College vehicle
5. Before an employee is required to submit to reasonable suspicion drug and/or alcohol testing, a supervisor must secure the approval of the next level supervisor, unless the requesting supervisor is the President. The requesting supervisor or his/her designee will drive the employee to and from the designated drug-testing location and will return the employee to the College office or to the employee's residence, depending on the circumstances. The employee will be placed on administrative leave without pay pending test results. The supervisor will prepare a memorandum within 24 hours of the collection stating what gave rise to the reasonable suspicion and submit the memorandum to the Human Resources office.
6. All applicants and employees who are required to be tested for alcohol and drugs must sign a form consenting to the testing and permitting the results to be released to the College. Failure to sign this form by an applicant will result in revocation of the job offer. Failure to sign this form by an employee will be grounds for disciplinary action including termination.

C. Safeguards

Before requiring an applicant or employee to undergo drug or alcohol testing, whether based on reasonable suspicion or authorized, the applicant or employee will be provided the opportunity to indicate in writing any over the counter or prescription medications that the applicant or employee is currently taking or has recently taken and any other information relevant to the reliability of the test results. No applicant or employee, however, will be required to list any such medications or information, and failure to do so will in no way prejudice the analysis of his/her test.

Any employee properly using any prescription or nonprescription drug that may affect or impair such employee's performance of his/her job duties (for instance, by causing drowsiness) despite such proper use, shall report such use to the Human Resources Department upon reporting for work prior to or on the first day of such use. Such reported use shall not constitute a violation of this policy.

An employee whose performance is impaired because of the use of a prescribed drug will be sent home and be required to use accrued sick leave, annual leave, personal leave, or leave without pay until the employee's physician certifies that he/she can perform his/her essential functions safely.

D. Collection and Testing of Specimens

1. Blood, breathalyzer, or urine specimens for drug or alcohol testing will be collected by an independent laboratory, which meets applicable provisions of any state licensure requirements and tested by an independent laboratory, certified by the National Institute on Drug Abuse or the College of American Pathologists in Forensic Urine Drug Testing.
2. It will be the policy of the College to follow the National Institute of Drug Abuse Guidelines on levels of drugs in the urine. A test result of a blood alcohol (BAC) level of .05 or more will be deemed positive.
3. The laboratory will report as negative all specimens that are negative on the initial test or negative on a confirmatory test. Only specimens reported as positive on the confirmatory test will be reported positive for a specific drug.
4. The laboratory will retain and place in properly secured long-term frozen storage for at least one year those specimens confirmed positive. The College may request the laboratory to retain the specimen for an additional period.

E. Reporting of Test Results

1. Drug and alcohol tests will be reported only to the Human Resources office.
2. The Human Resources office will notify applicants and employees verbally and/or in writing of test results.
3. The Human Resources office will make the employees' supervisor and department head aware of the test results.

F. Retesting

Applicants who have sought retesting and all employees who tested positive for drugs or alcohol may elect to have, at their expense, a portion of the original urine specimen or blood sample retested by another independent laboratory, that meets applicable provisions of any state licensure requirements, and is certified by the National Institute on Drug Abuse or the College of American Pathologists in Forensic Urine Drug Testing. The laboratory will arrange for the shipment of the urine specimen or blood sample to the laboratory of the applicant's or employee's choosing. The College will pay for the retest if the retest is negative.

G. Confidentiality

No laboratory reports or test results will appear in the employee's personnel file unless they are part of a disciplinary action but will be placed in a confidential file maintained by the Human Resources office.

H. Sanctions

1. Applicants or Employees in Safety-Sensitive Positions

- a. An applicant for employment in a safety-sensitive position who tests positive for alcohol or drugs will be rejected.
- b. An employee seeking transfer or promotion to a safety-sensitive position who tests positive for alcohol or drugs, will be subject to termination.
- c. An employee holding a safety-sensitive position whose random drug and alcohol test indicates a positive test result for drugs or alcohol will be subject to termination.

2. Reasonable Suspicion Testing/Positive Test Results

Employees who are tested for drugs or alcohol because of the reasonable suspicion that they were under the influence of alcohol or drugs and who test positive on a drug or alcohol test will be subject to termination.

3. Refusal to Cooperate in Testing Procedure

Any employee who refuses to cooperate in a drug or alcohol testing procedure by refusing or failing to complete the specified forms, by refusing or failing to submit a urine or blood specimen, by tampering with a sample, or otherwise failing to cooperate will be subject to termination.

4. Insurance Coverage

The employee should refer to the College's medical insurance coverage for details concerning alcohol/drug abuse assistance.

5. Possession of Drugs or Alcohol

Employees, while on duty, regardless of the location, who possess, consume, sell, purchase, distribute, or transfer alcohol or drugs or any controlled substance will be subject to termination. The possession, consumption, sale, purchase, distribution, or transfer of a controlled substance will be reported to the local law enforcement agency.

Denial of Workers' Compensation Benefits

Any employee who experiences a personal injury on the job and who tests positive for illegal drugs or alcohol at the time of the occurrence may be deemed ineligible for workers' compensation benefits incurred as a result of the occurrence.

Non-Disclosure

Any intentional cover-up of a drug or alcohol related accident or the possession, consumption, sale, purchase, distribution, or transfer of alcohol or drugs at the workplace, on College property, at a College event, or while conducting College business will be just cause for termination.

DEPARTMENT OF TRANSPORTATION COMPLIANCE

8.3.3

Pursuant to the Omnibus Transportation Act of 1991, the United States Department of Transportation enacted regulations requiring mandatory drug testing of individuals who are required to have commercial driver's licenses as a condition of their job. In compliance with these regulations, Mesalands Community College has adopted specific regulations, which include random drug testing, to apply to this category of employee. Copies of these regulations may be obtained from the Human Resources office.

TOBACCO-FREE POLICY

8.4

All of Mesalands Community College's indoor areas are to be smoke-free and tobacco-free areas to include vapor cigarettes. In support of the Dee Johnson Clean Indoor Act [24-16-1 NMSA 1978], is prohibition against all use of tobacco of any kind is extended to include all campus building facilities (including, but not limited to, restrooms, classrooms, work areas, lounges, commons areas, conference rooms, etc.) and all vehicles owned and/or operated by the College.

Smoking, vaping, and other tobacco use may take place only in the designated areas that are located outside of Mesalands Community College buildings. Designated areas are to be at a distance sufficient to ensure that persons entering or leaving the building or facility shall not be subjected to breathing tobacco smoke or vapors and to ensure that tobacco smoke or vapors does not enter the building or facility through entrances, windows, ventilation systems, or any other means.

Student Violations

Penalties for student violations of this policy will be enforced as published in the *Student Handbook*.

Employee Violations

Penalties for employee violations of this policy will be enforced as allowed for in Section 9 of this *Handbook* and as allowed for in Section Eleven of the Dee Johnson Clean Indoor Act.

CODE OF ETHICS FOR EMPLOYEES OF MESALANDS COMMUNITY COLLEGE 8.5

Members of the Board of Trustees recognize that they hold a public trust as elected officials responsible for governance of the College, and they subscribe to a code of ethics to express their personal commitment to ethical principles in governance of the College. It is expected that employees also subscribe to a high standard of ethical conduct as public employees of a public institution. Each employee is expected to subscribe to the principles for ethical conduct expressed in the *Code of Ethics* for Mesalands Community College Employees.

Violation of the *Code of Ethics* may be cause for censure or sanctions imposed in accordance with the disciplinary policies of this *Handbook*.

Code of Ethics For Employees of Mesalands Community College

The citizens in our community expect us to represent them as responsible and model citizens who demonstrate a high level of professional conduct. Employees of Mesalands Community College will strive to fulfill their responsibilities as dedicated and responsible employees, and perform their assigned duties to the best of their abilities in order that Mesalands Community College may provide the very best college education possible for all eligible students and, to that end, the employees will:

Do their best to demonstrate that their first and greatest concern is the fair and equal educational opportunities for students attending this College.

Perform the duties of the positions they willingly applied for and accepted. They accept that they are responsible members of a professional team which often has to do more than the minimum things their job descriptions outline in order to make the College succeed.

Respect fellow employees' reputations and will not favor or support special interests inside or outside of the College which could damage the reputation of other employees of the institution or the reputation of the College itself.

Avoid engaging in personality disputes, the taking of sides, and the spreading of gossip and rumors which may injure the College or other employees. They will always check out the source and validity of anything which has the potential of hurting the image of the College and its personnel.

Keep confidential information confidential, including information which by law or practice is not made available to the public.

Work in harmony with the rest of the employees to always promote and preserve the integrity of the College, its faculty, its administration, its Board of Trustees, its staff, and its students.

Support the Mission of the College, make every effort to promote the mission of the College, and promote its reputation and stature in the community.

Upgrade their performance as employees by keeping up with current developments which affect their assigned responsibilities as an employee of an institution of higher education

Avoid being placed in a position of conflict of interest and will refrain from using their relationship with the College for personal partisan gain.

GRANTS

8.6

No employee shall apply for any grant without the approval of the Grants Officer of the College. Under no circumstances shall the name Mesalands Community College be used without express written permission of the President.

MEETINGS

8.7

Employees are required to attend all general employee meetings and other committees as assigned.

POLITICAL ACTIVITIES

8.8

Mesalands Community College recognizes that all employees have the right and obligation to be informed active citizens and, with other citizens, have the right to exercise their political responsibilities including voting, discussing political issues, campaigning for candidates, and running for and serving in public office. However, no employee shall engage in political activity upon the property of Mesalands Community College, or while on college time, or using College equipment, property, or resources.

Violation of the above, shall, at the discretion of the President, be cause for disciplinary action up to and including termination.

Candidates for elective office or their representatives may contact the President's office to obtain information and policies on campaign activities on College property.

SAFETY

8.9

The Board and all employees shall provide a safe and healthful educational and work environment as required by law.

The College expects each employee to be familiar with the *Emergency Procedures Handbook* and the Emergency Alert System.

Emergency Procedures Handbooks are available at each telephone on campus.

Department Responsibility

Each department shall take steps to prevent injuries and to prevent loss of time, productivity, and assets. Employees at every level are obligated to support their department's safety efforts and to comply with federal, state, and local laws and ordinances pertaining to fire hazards, accident prevention, and health maintenance.

Supervisor Responsibility

Supervisors are responsible for promoting safe and healthful working conditions for employees. In carrying out this responsibility, established safety procedures and guidelines must be supported. Supervisors shall enforce compliance and apply appropriate corrective procedures for non-compliance.

Employee Responsibility

It is incumbent upon each employee to help protect Mesalands Community College's resources, through personal awareness and concern for health and safety.

SECURITY

8.10

Employees are required to secure all equipment and doors in their work areas before leaving the area.

Building Access

Building security includes an alarm system connected to the police station. The building will be open during periods of regularly scheduled classes, Monday through Thursday, except holidays, from 7:00 a.m. to 9:00 p.m. If employees need access to the buildings on weekends or other than the stated hours, a key and code can be requested from the Director of Facilities. Failure to comply with building access rules will result in a loss of access privileges.

Personal Property

Mesalands Community College will not be responsible for theft, loss, or vandalism of personal property, including vehicles, while such property is located on college premises.

Reporting Theft or Loss

Any thefts or losses must be reported promptly to the Human Resources office. The divisional Vice President or his/her designee will contact law enforcement agencies and investigate.

Computer Security

The data on any computer owned by the College is the property of the institution, and the security officer will make a system-backup of any and all computers as often as considered necessary.

WEAPONS AND FIREARMS

8.11

Persons possessing firearms, ammunition, explosives, or edged weapons are prohibited from carrying, conveying, or storing such materials on or in College properties and functions unless expressly allowed by the President after receiving full federal background checks and/or holding a valid concealed carry permit recognized by the State of New Mexico. Law enforcement officers authorized by state law to carry firearms and materials authorized for instructional purposes are exempt from this provision.

Violation of this policy may result in termination.

CONSENSUAL RELATIONS

8.12

Policy Statement

When individuals involved in a consensual romantic or sexual relationship are in the positions of unequal authority at the College, there is the potential for a conflict of interest, favoritism, and exploitation. These relationships may be less voluntary than the person with greater authority perceives, or circumstances may change, and conduct that once was welcome may become unwelcome. The fact that a relationship was initially consensual does not insulate a person with greater power from a claim of sexual harassment.

To ensure the College's academic and work environment remains free from real or apparent conflicts of interest, favoritism, and/or exploitation, this policy prohibits certain consensual romantic or sexual relationships between (1) faculty/administrators/staff members/coaches and students; and (2) supervisors, subordinates, or coworkers. These prohibitions are set forth below in greater detail. Any consensual relationships of this nature must be reported to the Human Resources Department.

A. POLICY/PROCEDURES

1. Faculty/Administrators/Staff Members/Coaches' Relationships with Students

No faculty member shall have a romantic, unprofessional, and/or sexual relationship, consensual or otherwise, with a student who is being taught or advised by the faculty member or who the faculty member supervises, evaluates, advises, or provides other professional advice or services as part of a College program or activity.

No administrator, staff member, or coach shall have a romantic, unprofessional, and/or sexual relationship, consensual or otherwise, with a student who the administrator, staff member, or coach supervises, evaluates, advises, trains, coaches, or provides other professional advice or services as part of a College program or activity.

This prohibition is not applicable to faculty members, administrators, staff members, or coaches whose spouse enrolls for classes at the College.

If a relationship develops that is potentially in violation of the statements above, the employee will, as soon as possible, disclose such to their supervisor, and other work or learning arrangements will be made for the student that will remove the student or employee from the situation, wherein either potential favoritism or potential abuse through leveraging the personal relationship to gain personal benefits are possible.

Any legal adult employee who has a romantic or sexual relationship with a minor student will be immediately terminated. Mesalands Community College will consider the violation of this policy as severe and egregious and direct contravention of the College's best interests. Violation of this policy, therefore, will result in immediate termination when any such relationship is discovered and verified, and law enforcement will be notified.

2. Relationships Between College Employees

For purposes of this policy "supervisory or evaluative authority" means the power to control or influence another person's employment, academic advancement, or extracurricular participation, including but not limited to hiring, work conditions, compensation, promotion, discipline, admission, grades, recommendations, financial support, or participation in extracurricular programs.

A. Relationships Between Supervisors and Subordinates

Romantic, unprofessional, and/or sexual relationships between College employees where one College employee has supervisory or evaluative authority over the other are prohibited and must be avoided.

Mesalands Community College will consider the violation of this policy as

severe and egregious and direct contravention of the College's best interests. Violation of this policy, therefore, may result in immediate termination.

B. Relationships Between Coworkers Who Have No Supervisory or Evaluative Authority Over One Another

A consenting romantic, unprofessional, and/or sexual relationship between coworkers who have no supervisory or evaluative authority over one another may interfere with or impair the performance of professional duties and responsibilities, and/or create an appearance of bias or favoritism or create a hostile work environment. Further, such relationships could implicate state ethics laws and/or result in claims of sexual harassment, discrimination, or retaliation. Such relationships, therefore, are strongly discouraged.

3. Reporting Procedures

If a romantic, unprofessional, and/or sexual relationship already exists or develops between (a) College faculty/administrators/staff members or coaches and his or her students; or (b) College employees where one employee has supervisory or evaluative authority over the other, there must be prompt disclosure of the relationship. College employees involved in a relationship prohibited by Section 8.12(B)(1) or (B)(2)(a) should provide written notification to Human Resources. For relationships in existence as of the effective date of this policy, disclosure must occur within thirty (30) days of this effective date. Relationships that develop after the effective date of this policy must be disclosed immediately.

Failure to comply with these disclosure requirements constitutes a violation of policy.

SECTION 9

DISCIPLINARY/GRIEVANCE PROCEDURES

MESALANDS COMMUNITY COLLEGE'S RIGHTS

9.1

Mesalands Community College will retain its right to:

1. Determine the mission of Mesalands Community College; to establish and implement educational programs and standards; to exercise control and discretion over Mesalands Community College operations in an efficient manner.
2. Hire, promote, transfer, or demote employees to serve the needs of Mesalands Community College.
3. Suspend, dismiss, or take other disciplinary action against classified employees for just cause.
4. Relieve employees from duties because of lack of work, lack of funds, educational or programmatic changes, or for other legitimate reasons.
5. Determine the methods, means, and personnel by which such Mesalands Community College operations are to be conducted.
6. Take action in emergencies.
7. Take other actions determined by the Administration in the best interest of Mesalands Community College not delineated above.

BASIS FOR EMPLOYEE DISCIPLINE

9.2

Disciplinary actions are based on just cause for all classified employees. Disciplinary actions will be consistent with governing laws and regulations, and will be taken without regard to race, color, ancestry, religion, national origin, sex, age, physical or mental disability, serious medical condition, veteran status, spousal affiliation, sexual orientation, gender identity, any other basis prohibited by federal, state, or local law.

1. Just cause is defined as any conduct, action, or inaction arising from, or directly connected with, the employee's work which is inconsistent with the employee's obligation to the employer and reflects the employee's disregard of the employer's interest. Just cause includes, but is not limited to: inefficiency; incompetency; theft; misconduct; negligence; insubordination; violation of Mesalands Community College policy or procedure; unauthorized use of

Mesalands Community College funds, property, facilities or materials, repeated tardiness and/or excessive absences, or performance which continues to be inadequate after reasonable efforts have been made to correct the performance problems; or for conviction of a felony or for a misdemeanor as described in the Criminal Offender Employment Act, NMSA 1978, §28-2-1 *et seq.*

CONSULTATIONS FOR EMPLOYEE DISCIPLINE

9.3

1. A supervisor will take disciplinary action against an employee under the supervisor's authority, which is consistent with Mesalands Community College policies and this *Personnel Handbook*. Copies of any documented disciplinary action must be furnished to the Human Resources office with the signature of the recipient acknowledging the receipt of the action or a refusal to sign witnessed by another member of management.
2. Dismissal or suspension requires consultation with the Human Resources office prior to notice being given to the employee. Whenever such a consultation is not practical because of the circumstances, the employee will be placed on leave with pay and the circumstances reviewed as soon as possible by the Human Resources office.

PROGRESSIVE DISCIPLINE

9.4

Full-time classified employees and full-time faculty will normally be subject to progressive discipline whenever possible. However, progressive discipline will not always be implemented. as the step of corrective action used depends on the severity of the infraction and the employee's previous work record. In some cases, suspension or termination may be the appropriate first step. Each case will be judged individually to determine the appropriate disciplinary action.

A. Verbal Reprimand

A verbal reprimand is used for minor infractions such as informing the employee that his/her behavior and/or conduct need(s) to be changed. Supervisors will document verbal reprimands and may place a notice of verbal reprimand in the employee's personnel file.

Causes for verbal reprimands include, but are not limited to:

1. Substandard work performance including failure to complete assignments or failure to complete them in a timely manner, inaccurate or unprofessional work product, interrupting other employees' work unrelated to the employee's duties, excessive use of the telephone for personal business, loud or disruptive conduct, conducting personal business while on duty.
2. Tardiness, excessive absences, or a pattern of absences.

B. Written Reprimand

1. An employee will receive a written reprimand at the discretion of the supervisor because the deficiency or infraction is of a greater degree than that for which a verbal reprimand would be used or if verbal reprimand was not effective in correcting the behavior. Causes for written reprimands include, but are not limited to:
 - a. All causes listed for verbal reprimands
 - b. Repeated absences, patterns of absences, or tardiness
 - c. Violations of Mesalands Community College policies and procedures
3. Written reprimands will be placed in the employee's personnel file by the supervisor after providing the employee with a copy. The employee will be asked to acknowledge having read the reprimand by signing the statement. If the employee refuses to sign, a witness must attest in writing that the statement was presented to the employee for his/her signature. The employee may respond within five days with a written rebuttal, which will be placed in the employee's personnel file.

C. Suspension

An employee may be suspended without pay for a single serious offense, or for continued inadequate job performance, behavior, or misconduct after previous attempt(s) to correct such have failed. Such suspension will not exceed twenty (20) working days. Causes for suspensions include, but are not limited to:

1. The causes listed for verbal and written reprimands
2. Continued instances of poor performance, behavior, or misconduct
3. Negligent damage to property and/or injury to person(s)

D. Termination

1. Termination is the final consequence when progressive discipline has failed to change unacceptable behavior, or performance. It can also be the first or only disciplinary action if the employee has engaged in behavior that is very serious in nature and deemed by the Administration as unacceptable for Mesalands Community College employees.
2. Grounds for termination include, but are not limited to:
 - a. all causes listed for the previous three levels of disciplinary actions, if continuing attempts to correct the problem(s) have failed
 - b. insubordination - failure to follow a reasonable or lawful order or College policy, procedure, or directive
 - c. refusal or failure to comply with Mesalands Community College policy

- d. disruptive conduct interfering with Mesalands Community College operation
 - e. theft of Mesalands Community College property or time
 - f. unauthorized use of Mesalands Community College property, facilities, materials, or other Mesalands Community College assets for personal use
 - g. intentional abuse or destruction of Mesalands Community College equipment and/or property
 - h. acts of negligence causing damage to Mesalands Community College property or to persons
 - i. conviction of a job-related felony, or misdemeanor pursuant to the Criminal Offender Employment Act, NMSA 1978, §28-2-1 *et seq*
 - j. accepting gratuities, bribes, or kickbacks
 - k. falsification of information on the employee's job application, or other Mesalands Community College records
 - l. failure to comply with of Mesalands Community College's Drug and Alcohol Policy
 - m. possession or use of firearms, or other weapons on Mesalands Community College premises
 - n. failure to participate, or cooperate, in administrative investigations or provide truthful or accurate information
 - o. any other conduct deemed by the Administration not to be in the best interest of Mesalands Community College, and/or its employees.
3. The above examples are typical of the classes of infractions sometimes encountered but are not inclusive of all situations warranting dismissal/termination with or without progressive discipline. Mesalands Community College reserves the right to exercise judgment, and render the disciplinary action as determined appropriate based on the circumstances of each case.
4. No employee will be disciplined for refusing to perform an unlawful act.

EMPLOYEE GRIEVANCES

9.5

Classes of Grievances

- A. Grievances are categorized as Class A and Class B. Class A grievances pertain to suspension and dismissal/termination. The final step in the administrative process for Class A is an appeal to an administrative hearing officer. Class B grievances cover dissatisfaction with working conditions and/or working relationships, contract disputes, and employee disputes. The President's decision is the final administrative step in Class B grievances.
- B. Employees who have filed grievances and employees required to give testimony as witnesses in a Class A grievance hearing will be given time off with pay if such meetings are scheduled during their regularly scheduled work hours. Former employees, or employees on suspension, layoffs, or other unpaid status will not receive pay to attend grievance hearings.

NOTIFICATION OF CONTEMPLATED DISCIPLINARY ACTIONS/CLASS A GRIEVANCES

9.6

- A. The employee's supervisor will present the employee with written notification of the intent to suspend or dismiss/terminate the employee. The written notification must specify the reason for the proposed action, the evidence supporting the proposed disciplinary action, the employee's right to a pre-disciplinary meeting, and contain the scheduled time and place of the pre-disciplinary meeting. The pre-disciplinary meeting will not be scheduled for a time less than three working days from the date of the notice of the proposed disciplinary action. A copy of these procedures must be attached. The pre-disciplinary notice must be hand-delivered to the employee and initialed by him/her or sent to the employee via certified mail.
- B. In cases where Mesalands Community College property, other employees, or citizens are at risk because of the employee's actions, or when otherwise deemed in the best interest of the College, the employee's supervisor may place the employee on administrative leave with pay while an investigation is being done; while the appropriate action is contemplated; and/or until the pre-disciplinary meeting is held and the decision is rendered.

PRE-DISCIPLINARY MEETING/CLASS A GRIEVANCES

9.7

- A. Within two working days of the receipt of notification of the notice of contemplated disciplinary action, the employee is required to notify, in writing, the Human Resources office to indicate whether he/she will attend the scheduled pre-disciplinary meeting. The pre-disciplinary meeting is informal and is between the President or his/her designee, the employee, and the supervisor. Human Resources may also attend a pre-disciplinary meeting. An employee who does not want to participate in the pre-disciplinary meeting may respond to the notice of contemplated action in writing.
- B. The Human Resources office will make available to the employee all statements, documents, or other tangible evidence deemed by the supervisor and/or Administration to constitute evidence. Mesalands Community College will provide copies of any requested documentation at \$1.00 per page.
- C. The President, or his designee, will meet with the employee and the employee's supervisor at the appointed meeting time. At this pre-disciplinary meeting, the employee will have the opportunity to respond to the proposed disciplinary action. The meeting will be held at the scheduled time unless a continuation is mutually agreed upon by both parties in writing. In no event will the continuation period go beyond five working days of the receipt of the proposed action by the employee.
- D. The President, or designee, will issue a decision in writing within five working days of the pre-disciplinary meeting. The written decision will be either delivered directly to the employee (obtaining employee's signature of receipt of the

decision) or be sent by certified mail. The employee has a right to grieve the President or designee's decision to a hearing officer appointed by Mesalands Community College. The hearing officer will not be a current or former employee of Mesalands Community College, or current or former member of the Board of Trustees. See Section 9.8.

- E. The employee will not conduct any work or other activity for the College after the effective date of the dismissal/termination or while on suspension.

POST-DISCIPLINARY HEARINGS/APPEALS TO A HEARING OFFICER 9.8

- A. Within 10 calendar days of receipt of the President's notice of determination the imposing suspension or dismissal/termination, the grievant must notify Mesalands Community College of his/her intent to avail himself/herself of a post disciplinary hearing conducted by a hearing officer by sending a written request for a grievance hearing to the Human Resources office. The President will appoint the hearing officer. If the President reduces a proposed suspension, or dismissal/termination to a written or verbal reprimand or imposes no discipline, the employee's right to a hearing before a neutral hearing officer is abated.
- B. The hearing officer will schedule a grievance hearing to be held within 30 calendar days, unless the parties mutually agree to a date extending beyond 30 calendar days. At this hearing, the grievant may have legal counsel and will have an opportunity to present witnesses and physical evidence and cross-examine Mesalands Community College's witnesses.

PROCEDURE FOR CONDUCTING THE POST-DISCIPLINARY HEARINGS 9.9

A. Rules of Procedure

1. The hearing officer will determine the date, time, and location of the hearing and any continuances. The hearing will be conducted at a location on the campus and during normal business hours, unless otherwise mutually agreed to by the parties. Requests for continuance of hearings will be made at least five working days prior to the scheduled hearing, absent extenuating circumstances. A request for continuance of the hearing will be made in writing directly to the hearing officer.
2. The post-disciplinary hearing will be conducted as an open meeting, with notice given to the public pursuant to the New Mexico Open Meetings Act and Mesalands Community College's Open Meetings Resolution. Information may be subject to protection pursuant to law.
3. The hearing officer will:
 - a. determine the order of agenda items,
 - b. rule on procedural and substantive issues,
 - c. determine the admissibility of evidence and testimony all of which must

have a direct bearing on the issue before the hearing officer, according to the evidentiary standard for administrative agencies, and
d. issue written findings and conclusions.

4. Prior to the hearing, the parties will stipulate to agreed-upon facts and issues in writing.
 5. At least five calendar days prior to the hearing, all parties must submit to the hearing officer, and opposing party, a statement identifying the issues to be heard, a witness list with anticipated testimony, and a complete list of documents that may be introduced or admitted as evidence.
 6. The parties will prepare copies of all exhibits and evidence, which may be presented at the hearing and serve the opposing party at least five calendar days before the hearing. Each party will bring a copy of all exhibits to the hearing for the hearing officer. The parties will stipulate to exhibits to the extent possible.
 7. Witnesses in grievance hearings are not admitted to the hearing room until called upon to testify except for the grievant and the College's representative.
 8. Notice of the hearing will be sent concurrently to both parties postmarked at least 10 days prior to the scheduled hearing.
 9. A record of the hearing will be made electronically and/or by a certified court reporter.
 10. In the grievance hearing, the College may be represented by legal counsel and the grievant may be represented by legal counsel as well.
- B. The hearing will be conducted in the following manner:
1. Opening Statement of Issues:

Mesalands Community College will present its statement of the issues followed by the grievant. Opening statements are limited to the pertinent issues of fact and law and will not exceed 10 minutes without the permission of the hearing officer.
 2. Order of Presentation:
 - a. Mesalands Community College Presentation:

Mesalands Community College will present its case to the hearing officer first because Mesalands Community College has the burden of proving that the grievant was disciplined for cause. Following the testimony of each of Mesalands Community College witnesses, the grievant can cross-examine the witness. The hearing officer may also question the witnesses. Follow-up or redirect questioning by Mesalands Community College will be allowed.

b. Grievant Presentation:

Following the testimony of each of the grievant's witnesses, Mesalands Community College can cross-examine the witness. The hearing officer may also question the witnesses. Follow-up or redirect questioning will be allowed by the grievant.

c. Rebuttal Testimony:

Following the grievant presentation, Mesalands Community College may offer rebuttal testimony.

d. Closing Statements:

Mesalands Community College's closing statement will be presented, followed by those of the grievant. These statements will not exceed 10 minutes without the permission of the hearing officer. Either party may request to present closing briefs in lieu of closing statements, which shall be filed with the hearing officer within 30 calendar days of the hearing.

C. Hearing Officer's Decision:

At the conclusion of all presentations, the hearing officer will adjourn the hearing. The hearing officer may request proposed written findings and conclusions of law from each party at a mutually convenient time, not to exceed 30 days from the completion of the hearing. The hearing officer will prepare written findings and conclusions of law within 15 days of receiving the findings and conclusions from the parties. The decision of the hearing officer will be final and binding, unless either party petitions the Tenth Judicial District for writ of certiorari within 30 days of entry of the hearing officer's decision.

D. Communication of Hearing Officer's Decision:

The hearing officer's decision will be signed and transmitted to the parties. The recording of the proceedings will be retained by Mesalands Community College for a period of at least one year from the hearing date, along with all the physical evidence admitted by the hearing officer. The recording will be transcribed only in the case of appeal to the district court by a party. The whole record of the hearing, plus all admitted exhibits, must be submitted to district court by Mesalands Community College upon appeal by either party.

**PROCEDURE FOR PRESENTING GRIEVANCES CONCERNING WORKING
CONDITIONS AND OTHER WORK-RELATED ISSUES/CLASS B GRIEVANCES**
9.10

The following procedure is intended to provide classified employees with a means to secure, at the lowest possible level, equitable solutions to an employee's grievance which may arise regarding working conditions and/or working relationships, contract

disputes, and employee disputes. A Grievance Form to be used in filing a Class B grievance is available in the Human Resources office.

Step One: Meeting with Immediate Supervisor

1. The employee is required to contact his/her immediate supervisor within five calendar days of the incident or action being grieved.
2. The employee and his immediate supervisor or designee will meet within five calendar days of the day the employee brought the complaint forward to the supervisor to explore ways to resolve the grievance informally.
3. Additional meetings may be required, and the time limits may be extended with the consent of both parties in writing.
4. Within five calendar days of the completion of the meeting(s) with the employee, the supervisor or designee will provide the employee with a written decision.

Step Two: Meeting with the Department Director or Vice President

1. If the employee is dissatisfied with the immediate supervisor's decision, the employee will, within five calendar days following receipt of his supervisor's written decision, submit a written grievance to his/her department director or Vice President. The issues will be identified in the written grievance, and the immediate supervisor's written decision will be attached.
2. The department director or Vice President or designee will meet with the employee within five calendar days of receipt of the employee's written grievance for discussion and possible resolution of the matter.
3. The department director or Vice President or designee will respond in writing to the employee within five calendar days of the meeting.

Step Three: Meeting with the Human Resources Specialist

1. If the employee is dissatisfied with the department director or Vice President or designee's decision, the employee will, within five calendar days following receipt of the department director or Vice President's written decision, submit a written grievance to the Human Resources Specialist. The issues will be identified in the written grievance, and the immediate supervisor as well as the department director or Vice President's written decision will be attached.
2. The Human Resources Specialist or designee will meet with the employee within five calendar days of receipt of the employee's written grievance for discussion and possible resolution of the matter.

3. The Human Resources Specialist or designee will respond in writing to the employee within five calendar days of the meeting.

Step Four: Meeting with the President

1. If the employee is dissatisfied with the Human Resources Specialist's decision, the employee may appeal the decision of the Human Resources Specialist to the President in writing within five calendar days of the receipt of the Human Resources Specialist's written decision.
2. The employee and one witness of his/her choice (if desired) and the immediate supervisor will meet with the President or designee within five calendar days of receipt of the written request from the grievant. Within five calendar days of the meeting, the President or designee will advise the employee in writing of his/her decision. The President's decision will be final.

TIME LIMITS, COMPLIANCE WITH PROCEDURE

9.11

- A. Time limits set forth in Section 9 of this handbook may be extended only by written mutual agreement of the parties.
- B. Failure by the grievant to meet the requirements in these grievance procedures will deem the matter resolved and closed. If Mesalands Community College fails to timely render a decision, the grievant may proceed to the next step by timely filing as if the College had timely responded.

CONDITIONS OR ACTIONS NOT GRIEVABLE

9.12

- A. Disputes concerning established Mesalands Community College policy should be brought directly to Human Resources.
- B. The following are not grievable:
 1. Matters where Mesalands Community College is without authority to act or does not have the ability to provide a remedy.
 2. Temporary employees prior to or at the end of their anticipated employment period.
 3. Unclassified employees dismissed at any point during their employment with Mesalands Community College.

4. Transfers, temporary assignments, removal from temporary assignments, and promotions.
 5. Position desk audits, position classifications, performance appraisals, written reprimands, or selection for vacant positions.
 6. Non-renewal of employment contracts
- C. Employee complaints charging discrimination based on race, color, ancestry, religion, national origin, sex, age, physical or mental disability, serious medical condition, veteran status, spousal affiliation, sexual orientation, gender identity or any other basis prohibited by federal, state, or local law will be administered by the President or his designee in compliance with the policy on discrimination and sexual harassment. See Section 8 of this handbook.

ADMINISTRATIVE LEAVE

9.13

At Mesalands Community College, administrative leave occurs when an employee with benefits is relieved of their normal responsibilities while continuing to receive regular pay and benefits. An employee may be placed on administrative leave by their immediate supervisor or any other supervisor in the chain of command at any time, without any prior notice, and for any lawful and business-related reason. While on administrative leave you are not authorized to return to campus for any reason without specific direction from Administration.

A supervisor should consult with the office of Human Resources before placing an employee on administrative leave, unless extreme circumstances exist where the employee must be removed from the workplace before Human Resources can be notified. Extreme circumstances include situations where the employee is an immediate threat to other individuals, College property, or sensitive information.

A common example of a situation requiring administrative leave is an incident requiring an investigation (such as an allegation of misconduct). In such cases, the college may need to place employees on administrative leave pending the results of such investigation. Any full or part-time leave-eligible employee who may have been involved in an incident may be placed on administrative leave until the investigation and subsequent disciplinary process, if applicable, is complete, or as otherwise determined appropriate by the College.

Administrative leave may also be applied in situations where an employee must be removed from duty while management ascertains whether the employee is physically and/or mentally able to perform the duties of their job.

Administrative leave is not an adverse employment action; therefore, an employee may not appeal being placed on administrative leave.

SECTION 10

SEPARATION FROM EMPLOYMENT WITH THE COLLEGE

RESIGNATIONS

10.1

Due Consideration Before Signing Contract

In an academic setting it is unprofessional to enter a contract which the employee does not intend to honor. Prior to signing a new contract for the next fiscal year, due consideration should be given to your decision to do so.

Resignation of Faculty

An instructor must give the institution twenty business days (not to include holidays) written notice of the intention to resign, and a resignation may not become effective before the end of a semester or term except with written approval of the President. The President, or designee, may waive the giving of such notice and accept a resignation with less notice or effective immediately.

Resignation of Employees Other Than Faculty

Employees other than faculty shall provide Mesalands Community College with written notice of resignation not fewer than two weeks prior to the effective date of the resignation, or as otherwise provided for in the employee's contract. Holidays will not be included. Notice may be waived by the President, or designee, or accepted effective immediately.

Failure to Give Notice

Failure to give the required notice of resignation will result in the employee being ineligible for rehire.

EXIT PROCEDURE

10.2

When the employee is leaving employment with Mesalands Community College for whatever reason, the following procedure should be followed:

The employee shall meet all financial obligations to the institution; return all equipment, building, cabinet, and vehicle keys to the direct supervisor.

Amounts Due to the College

At the time of termination or resignation any amounts owed to the College will be deducted from the final pay amount. If the final pay amount is insufficient to cover the amounts owed to the College, the employee shall pay such amounts to the College within fourteen (14) calendar days of the effective date of separation.

COBRA BENEFITS

10.3

SEE SECTION 6 OF THIS HANDBOOK.

SECTION 11

MISCELLANEOUS

ACCIDENTS, ILLNESSES, AND INJURIES

11.1

If a person becomes ill or is injured, employees should provide or summon first aid assistance and take additional action as described below:

Possible Life-Threatening Situations

The City of Tucumcari Police Department will be called immediately (Dial 911). Notify Emergency Alert System authorized personnel.

Non-Life-Threatening Situations

If medical care is deemed necessary and the injured or sick person is considered capable of rational judgment, but is unable to drive, the person may:

- Request that an ambulance be called;
- Request that a relative be called; or
- Make other arrangements as dictated by the circumstances.

The cost of emergency transportation may be the responsibility of the injured or sick person.

The President or designee shall be notified when transportation to a medical facility is necessary.

The Human Resources office should be notified and given a report of accidents occurring on college property, or to damage occurring to College property.

Please refer to the Emergency Procedures Handbook located near each campus telephone.

CHANGE OF PERSONAL INFORMATION

11.2

The Human Resources office is to be promptly notified of any change in an employee's name, address, or telephone number. Notification should be submitted in writing. Upon written request, the Human Resources office will withhold this information from other employees and the public to the extent permitted by law.

COPIES

11.3

Mesalands Community College copiers are for College use. Personal copies can be made for a charge. Contact the business office for the current charge for personal copies.

ELECTRONIC SYSTEMS USE

11.4

Electronic systems such as computer, e-mail, and voice mail are provided for College business purposes. These electronic systems are not for private or personal use. The employee should not expect privacy rights to the contents of electronic systems, and the College has the right to review, audit, intercept, and disclose all matters sent utilizing its electronic systems.

Use of College electronic systems for unlawful, defamatory, obscene, or other inappropriate communications is prohibited. Inappropriate use of electronic systems of the College will result in appropriate disciplinary action up to and including termination

All employees are required to obtain, read, and acknowledge agreement with, prior to use of the computers, the Computer Use Guidelines.

EQUIPMENT/TOOLS-PRIVATE USE PROHIBITED

11.5

The private use of Mesalands Community College's equipment or tools, or their removal from campus, is prohibited.

FACILITIES USE

11.6

In its efforts to serve the community as fully as possible, the College may make available for use by local, non-profit groups (for non-political, non-sectarian, and non-commercial activities) College buildings and grounds with no rental charge during normal operational hours. Restrictions do apply and charges will be levied for use outside normal operational hours, for use by for-profit organizations, and for the use of college equipment and/or personnel. All requests for facilities use and current costs should be forwarded to the administrative secretary of the Vice President of Academic Affairs.

All requests for facilities use should be accompanied by a certificate of insurance naming the College as additional insured.

FAX MACHINES

11.7

Fax machines are for college use. Personal faxes may be sent for a charge per page. Please contact the Business Office for the current per page charge.

FIRES, ALARMS, AND EMERGENCY EVACUATIONS

11.8

Fire

If a fire is observed, pull a fire alarm, leave the building, call 911, and notify the Mesalands Community College operator at extension 6600. Only if you can do it safely, use a fire extinguisher to put the fire out.

Fire Alarm Activated

When a fire alarm sounds an alert for emergency on campus, all personnel must evacuate the building promptly. Instructors should give instructions for students to leave the building immediately by the nearest exit, and, if time permits, lock desks, cabinets, and doors, and turn out lights before leaving. Mesalands Community College participates in an active fire drill plan as required by the state fire marshal. When it is safe to return, the all clear is given by bells, via the public address system when available, or by courier,

Evacuation Routes

Fire evacuation routes are posted for all campus locations and must be observed.

Please refer to the Emergency Procedures Handbook located near each campus telephone.

LIBRARY

11.9

Materials available for checkout in the library are available for checkout by employees as well as students. Your Mesalands Community College I.D. card may be used for this purpose.

EMPLOYEE PARKING

11.10

Employees are required to park away from the buildings, reserving the spaces closer to the buildings for students and visitors. At Building A, employees are asked to park across the street in Lot 1. Employees who have difficulty walking due to age, injury, or medical condition may also park closer to the building as a matter of practicality or reasonable accommodation.

PROPER IDENTIFICATION

11.11

College Security Photo Identification Card (ID)

All employees must obtain a College Security Photo ID from the Library.

PUBLICATIONS

11.12

Each employee is responsible for being familiar with the contents of the Personnel Handbook. In addition, each faculty member is responsible for being familiar with the contents of the Faculty Handbook.

All materials published by or through Mesalands Community College including, but not limited to, brochures, flyers, posters, newsletters, letterhead, advertisements, certificates, and audiovisual materials must be approved by the office of public relations and bear appropriate state and federal notices.

All materials published by or through Mesalands Community College shall bear the official Mesalands Community College logo.

PURCHASING

11.13

All purchases must be approved by the appropriate Vice President and a purchase order be in hand before the order or purchase is made. Refer to the Administrative Affairs Manual for specific procedures.

Please note that, among other procurement requirements, all requisitions over \$5,000 must have an oral quote form attached with three quotes from different suppliers.

Purchases of \$5,000 or more require three (3) competitive quotes as follows:

- \$5,000-\$9,999 – verbal, catalog, and/or Internet quotes
- \$10,000-\$19,999 - vendor letterhead quotes
- \$20,000 or more - sealed bids

Purchases more than \$19,999.00 require Board of Trustees approval. Any employees not following the correct purchasing procedure will be personally responsible for the purchases

REFERENCES FOR CURRENT AND FORMER EMPLOYEES AND STUDENTS

11.14

All work reference requests by phone or in writing for current or former employees should be directed to the Human Resources Director. Any personal references can be given by employees provided the reference is not on behalf of Mesalands Community College and not utilizing Mesalands Community College as letterhead.

Personal letters of recommendation for students or student employees can be written provided the recommendation is not on behalf of Mesalands Community

College and the letters do not utilize Mesalands Community College as letterhead.

STUDENT RECORDS

11.15

Any employee receiving requests for examination/release of student records shall forward such requests to the Registrar.

SURVEYS, QUESTIONNAIRES, AND RESEARCH PROJECTS

11.16

Surveys, questionnaires, and research projects involving staff and students shall be approved in advance by the President or designee for content and appropriateness and shall contain the name of the person or organization conducting the activity and the purpose of the activity.

Participant identification may be required only if essential to the results. Confidentiality shall be guaranteed.

Students and staff may be required to participate only if the study was prepared by or for Mesalands Community College for its official use, or to meet a requirement of law. Participation in all other studies is voluntary, and a statement to that effect shall be approved by the President or designee.

MESALANDS COMMUNITY COLLEGE TELECOMMUTING POLICY

11.17

POLICY

Telecommuting provides employees with an opportunity to work from an alternative workplace instead of the primary location at Mesalands Community College. Telecommuting should be voluntary on the part of the employee (unless it is a condition of employment), must not interfere with regular office or department functions, benefit the department and College, and requires written approval of the appropriate Vice President and President or their designees. The quality of an employee's work and services must not be compromised because of telecommuting.

DETERMINING ELIGIBILITY TO TELECOMMUTE

Telecommuting is normally reserved for employees in exempt administrative and faculty teaching exclusively online. However, a nonexempt employee may be recommended by their supervisor and receive approval from the Vice President or designee to telecommute with the understanding that the employee continues to be responsible for accurately recording daily work hours, start and stop times for meal periods, and otherwise complies with college policies regarding employment and work hours such as rest breaks and overtime.

The following should be taken into consideration in determining eligibility to telecommute:

Business Rationale – How will this arrangement benefit the work team, office, and the College? Justification may include, but is not limited to, increased productivity, as well as staffing, instruction, and support needs for online academic programs and courses, improved customer service, more efficient use of space or equipment, and/or lowering operating costs.

Impact on Service – How will services be affected because the employee is not on campus? How will requests for immediate on-campus assistance be addressed on days on which the employee is telecommuting?

Supervisory Oversight – Telecommuting requires a focus on results and productivity rather than in person face time and requires trust and effective communication between a supervisor and employee.

Position – Supervisors and employees should thoroughly analyze job descriptions, responsibilities, and how the work is performed before recommending a telework arrangement. Appropriate positions may be those that:

1. Require independent work.
2. Require fully online presence.
3. Duties can be fulfilled without physical presence on campus.
4. Absence on campus does not negatively affect the ability of other College departments or offices/units within a department to provide services, instruction, and/or to conduct business.
5. Do not affect the employee's supervisory responsibilities and interactions with direct reports.
6. Requires concentration.
7. Result in specific, measurable outcomes.
8. Can be evaluated by output.
9. Requires equipment and technology that can be easily accessed and for which the employee has available at the remote work location.

Employee – Supervisors and employees should also consider employee work style and performance history. Characteristics indicative of success may include:

1. The ability to work productively on one's own
2. Self-motivation and flexibility
3. Thorough knowledge of job responsibilities
4. A low need for face-to-face social interaction
5. Consistent effective and successful performance evaluations
6. Excellent organizational and time management skills
7. Effective communication skills
8. Honesty and dependability

REQUEST AND APPROVAL PROCESS

Employees hired with the expectation of telecommuting full time are exempt from this section.

Request to Telecommute

Supervisors complete the Telecommuting Request and Agreement in discussion with the employee, submit to the appropriate Vice President, and schedule a time to discuss the request.

DURATION AND CONTINUATION

A request to telecommute may not exceed 12 months in duration from the date on which an approved agreement commences and approval may be rescinded at any time by the College. Continuation of a telecommuting arrangement beyond the approved end date is neither automatic nor guaranteed and is subject to the processes outlined in this section.

APPROVAL

The supervisor submits the request to the Vice President for the department, who in turn will assess the feasibility of the request and its impact on services provided to the College. All requests approved by the Vice President to telecommute require review by the President's Executive Team to assess impact and determine whether the position is appropriate for a telecommuting agreement. Final approval rests with the President or designee. The Telecommuting Request and Agreement must be completed in full and signed by the employee, supervisor, Vice President/designee, and President/designee prior to it taking effect.

Mesalands Community College retains the right in its sole discretion to determine if a position is appropriate for telecommuting and approve/disapprove an employee's request. Telecommuting is not an entitlement and the decision to grant an employee's request is determined and approved on a case-by-case basis. Prior approval to telecommute given to an employee does not guarantee future requests will be approved.

TERMINATION OF A TELECOMMUTING AGREEMENT

The College reserves the right to change or terminate a Telecommuting Request and Agreement, or other contractual telecommuting expectations, at any time, without cause or advance notice. Likewise, an employee may terminate a telecommuting agreement at any time by providing written notice to the supervisor.

An employee must return College equipment, records, and materials used for

telecommuting within three days of the termination of a telecommuting agreement.

GENERAL CONDITIONS OF EMPLOYMENT WHILE TELECOMMUTING

Hours of Work – Unless otherwise agreed in the employee contract or a Telecommuting Request and Agreement, an employee’s regular hours and days of work will not change. If an employee needs to modify the agreed-upon schedule, the employee must request approval from the supervisor in writing in advance of the change. The employee is expected to perform duties and responsibilities during work hours as he/she would do if the employee were on campus. Authorized campus closures or early release programs and their terms apply to eligible employees who telecommute.

Work Environment and Dependent Care – It is the responsibility of the employee to ensure that a proper work environment is maintained (e.g., dependent care arrangements are made so as not to interfere with work; personal disruptions, such as personal telephone calls and visitors are kept to a minimum, confidentiality can be maintained, etc.). Furthermore, telecommuting is not intended as a substitute for childcare or care for another adult. If a child or adult needs care during work time, another responsible individual is expected to be present or appropriate leave requested. If dependent care circumstances change, the employee is required to notify the supervisor.

Attendance at Meetings – The employee is expected to attend all required meetings (in-person, conference calls, or web-based), and may be required to report for work-related events on or off-campus or to meet with the supervisor in the alternate location, if needed.

Performance Expectations - Performance expectations and evaluations are neither changed nor waived because of a telecommuting arrangement. An employee’s job performance will be evaluated in accordance with college guidelines and procedures.

Salary and Benefits – An employee’s salary and benefits will not be affected by telecommuting.

Tax Consequences – The employee is responsible for any tax and insurance consequences associated with the telecommuting agreement and for observing any municipal zoning ordinances regulating the performance of work at home for telecommuting purposes.

Use of Personal Vehicle - While telecommuting, an employee may not use his/her personal vehicle for college business unless specifically authorized by a supervisor.

College Policies, Practices, and Procedures – The employee is responsible for complying with college policies, practices, and policies while telecommuting.

Use of Leave – The employee is responsible for reporting absences and submitting requests for leave in accordance with department procedures and College policy.

Telecommuting is not to be used in place of sick leave, however, in consultation with Human Resources, a supervisor may choose to offer telecommuting arrangements as an opportunity to accommodate the partial or full return to work based on college policy and the criteria normally applied to decisions regarding the approval of telecommuting and requests for reasonable accommodation due to pregnancy and/or disability.

Changes in Employment - The Telecommuting Request and Agreement does not automatically transfer or continue with an employee who (a) accepts a different position at the College, (b) has a change in job duties, work schedule, or other job-related functions/requirements, (c) applies to a position that is vacated and was previously approved for telecommuting, or (d) when there is a change in supervision.

EQUIPMENT AND SUPPLIES ASSOCIATED WITH TELECOMMUTING

The Telecommuting Request and Agreement, or other employee contract for those hired to work entirely online, will specify any costs the College will cover and will reimburse the employee for agreed upon expenses necessary for performing work assignments at the telecommuting location in accordance with College Policy and provided advance authorization has been obtained. Equipment may be owned and maintained by the employee or by the College. Mesalands Community College will not be responsible for operating costs, home maintenance, or any other incidental costs including cost of utilities, associated with the use of the employee's residence or other remote work location as a telecommuting location.

In accordance with the College's Conflict of Interest Policy, an employee who telecommutes is expected to use college-owned equipment, records, and materials for purposes of College business only, and to protect them against unauthorized or accidental access, use, modification, destruction, or disclosure. The employee is required to notify a supervisor of loss, damage, or unauthorized access at the earliest opportunity.

SECURITY OF INFORMATION

Employees working in an alternate work location and their supervisors must adhere to all applicable security procedures in order to ensure confidentiality and security of data.

An employee's work computer shall be in compliance with College guidelines for uses of hardware and software including virus protection software, licensing provisions, system security, and passwords.

The employee will protect all confidential College documents from unauthorized access.

All products, documents, and records that are used, developed, or revised while telecommuting remain the property of Mesalands Community College.

The College may provide hardware and software support; however, internet connection is the responsibility of the employee.

TELECOMMUTING SAFETY

The employee is solely responsible for ensuring the safety of the alternative work location. The Telecommuting Request and Agreement requires an employee to confirm that the alternate work location is, to the best of the employee's knowledge, free of recognized hazards that could cause physical harm. Employees are expected to practice the same safety habits they would use while at the College and to maintain safe conditions in their alternate work location.

The College is legally obligated to provide its employees with a workplace that is free from hazards that might cause serious harm or injury and, therefore, the College reserves the right to periodically inspect the employee's alternate workspace. Any such inspection will be preceded by advance notice and an appointment will be scheduled.

Employees who telecommute are covered by the College's Workers' Compensation insurance if injured while performing official duties on campus or at the alternate work location as determined by law. As such, employees are required to immediately report any injuries that occur while working by completing an accident report form.

The employee shall be liable for any injuries that occur to third parties at or around the employee's alternative work location.

TELEPHONES

11.18

The telephones are for official College use. Each employee who needs to make College related long-distance calls is issued a long-distance code. In cases of emergency, personal long-distance calls may be made but must be paid for in the business office. Phone usage is monitored periodically for excessive use.

TRAVEL

11.19

All approved travel expenditures, regardless of funding source, shall be reimbursed as provided for by the policies approved by the Board of Trustees.

Travel Requests

Travel requests should be submitted at least two weeks in advance of the proposed trip.

Approval

Every employee leaving Tucumcari on College-related business must have prior written approval before leaving campus.

Refer to the Administrative Affairs Handbook for specific information regarding per diem rates and appropriate travel request forms.

VEHICLE USE

11.20

Availability

Mesalands Community College has a limited number of College-owned vehicles available for check-out from Administrative Affairs on a first-come, first-served basis for use on College business. Availability of vehicles is not guaranteed. If an employee fails to follow the procedures for vehicle check-out, use, or check-in at any time, he/she may lose the privilege to use vehicles owned or leased by the College.

Reservations

Reservations may be made when out-of-town travel is involved. In these cases, arrangements should be made at least three working days in advance. Refer to the Administrative Affairs Handbook for specific information and/or instruction.

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