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4.00 RESPONSIBILITY

Classified personnel shall be responsible to the administrator, instructor, or other supervisor to whom they are assigned.

4.01 WORKING DAY (EXCLUDES GENERAL SERVICES AND CAMPUS POLICE)

Unless defined as a condition of hire, the number of working hours per day during the academic year shall be seven (7) hours exclusive of lunch time. During the balance of the school year the number of working hours per day shall be six (6). The time of work each day shall be determined by the immediate supervisor.

4.02 WORKING DAY (GENERAL SERVICES AND CAMPUS POLICE)

The number of working hours per day shall be eight (8) hours, exclusive of lunch time, except during emergencies. The working hours or shifts worked for General Services will be determined by the Supervisor of General Services. The working hours or shifts worked for Campus Police will be determined by the Director of the Department of Public Safety.

4.03 WORK WEEK (EXCLUDES GENERAL SERVICES AND CAMPUS POLICE)

Employees are normally expected to work Monday through Friday unless other arrangements are made by the immediate supervisor and approved by the President of the College. A workweek is defined as the period beginning on a Sunday and ending on a Saturday.

4.04 WORK WEEK (GENERAL SERVICES AND CAMPUS POLICE)

Employees are normally expected to work forty (40) hours per week. A workweek is defined as the period beginning on a Sunday and ending on a Saturday.

4.10 EMPLOYMENT

All classified employees of the district shall be employed by the Board of Trustees upon the recommendation of the President of the College. All new full time positions will be advertised and posted in accordance with the state and federal laws governing equal opportunity employers.

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4.11 HEALTH EXAMINATION

The Board of Trustees reserves the right to require a candidate offered employment or re-employment to submit to and satisfactorily pass a physical examination by a physician to be designated by the College.

4.12 TERM OF EMPLOYMENT

Unless defined as a condition of hire, classified personnel shall be employed from July 1 to June 30 subject to their services being satisfactory, as determined by the College, and subject to compliance with the employment policies of the College. Those individuals employed after July 1 shall be employed until June 30, if considered regular employees. Part-time employees may be employed for a specific task by the hour or day.

4.13 EMPLOYEE DUE PROCESS

Employees may appeal any decision alleging a violation of written Board Policy. In all cases, the final board of appeal shall be the Board of Trustees, the governing body of the Community College District of the Mineral Area.

Guidelines

Except where a definite procedure exists, the following will serve as guidelines for all appeals:

1. Any employee wishing to make an appeal may have a Mineral Area College employee help advise and represent him/her in the due process procedure.
2. It will be the employee's sole responsibility to see that the appeal is placed through administrative channels within ten (10) days from the date of the alleged violation. Failure to satisfy the 10-day deadline will result in the dismissal of the appeal.
3. The President of the College will review the case referred to him/her and render a decision. In all cases, a decision will be made only after consultation with the employee and the supervisor and/or administrator.
4. If an employee disagrees with a decision made by the President of the College, he/she may submit an appeal to the Board of Trustees. The Board

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EMPLOYEE DUE PROCESS - CONTINUED

may hear the appeal or affirm the decision of the President without a meeting with the employee.

5. In order to protect the welfare of the employee, all appeals shall be reviewed and resolved in a timely manner.
6. No reprisals of any kind shall be taken against any employee for participation in the due process procedure.

4.20 SALARY SCHEDULE

The Board of Trustees may adopt a salary schedule for classified employees which shall remain in effect until changed by action of the Board.

4.21 EDUCATION/LONGEVITY INCENTIVE

Mineral Area College encourages Classified Staff to pursue education and professional development opportunities that maintain or improve skills related to the performance of their jobs. In recognition of the completion of such education and professional development, the College will provide a base salary adjustment to eligible employees upon the receipt of a degree that is completed after July 1, 2010.

Salary incentive increases will be based upon the degree as follows:

Bachelor's Degree: \$500

Master's Degree: \$1,000

Classified Staff may apply for a base salary adjustment as a result of earning a degree from an accredited institution after July 1, 2010. Only one base salary adjustment will be awarded for the degree level regardless of the number of degrees earned at that level.

Employees will receive a longevity bonus added to the base amount of salary after years 20 (\$500) and 30 (\$1,000).

Classified Staff who are awarded a base salary adjustment must repay this amount back to the College if their term of employment is voluntarily separated before a two-year period.

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EDUCATION/ LONGEVITY INCENTIVE - CONTINUED

Educational endeavors must be planned in advance and approved by the respective dean/supervisor. To ensure that the completion of the degree will be of benefit to the College, Classified Staff should consult and receive permission from their respective dean/supervisor before the completion of a substantial portion of their degree plan.

The base salary adjustment will be effective on the first day of the first month following the completion of the degree and only after official documentation is received by the Director of Human Resources.

4.30 SICK LEAVE

The primary purpose of sick leave is to protect the staff member against losses due to incapacitating illness. All full-time staff members are eligible for sick leave. Each full-time staff member (excluding General Services and Campus Police) shall accrue unlimited sick leave at the rate of 6.75 hours for each calendar month of contracted service. General Services employees and Campus Police Officers shall accumulate 8 hours of sick leave for each contracted month of service.

Whenever any full-time staff member is compelled to be absent from duty due to personal illness, full compensation for the maximum accumulated sick leave shall be allowed. Sick leave may be taken in increments of no less than one hour.

At the beginning of each school year, the amount of unused sick leave will be transferred to the new contract year and additional accumulations will be made, as earned.

For absences in excess of 21 consecutive hours, the employee may be required to submit to the responsible administrator medical documentation or other acceptable evidence of incapacity to work.

Employees absent for longer than 21 hours, related to the same illness or injury, are required to notify the Human Resource Office so that it may be determined whether the leave qualifies as family and medical leave.

Paid sick leave may also be used by employees with disabilities for the purpose of securing necessary treatment. Employees may be required to use their accrued sick time during a leave of absence for their own serious health condition.

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SICK LEAVE - CONTINUED

In the event of campus closure due to emergency or inclement weather, employees who have scheduled sick leave are not required to utilize paid time off for the amount of time campus is closed.

4.31 PAY FOR UNUSED SICK LEAVE UPON RETIREMENT

Employees may accumulate unused sick leave.

Any employee who retires from Mineral Area College or has been employed by Mineral Area College at least 10 years will receive reimbursement for accumulated sick leave according to the following rate determined by the appropriate formula.

For General Services and Campus Police Officers:

average salary for top five years of employment or part thereof/1300=amount/8=dollar amount per hour

For all other Classified Staff:

average salary for top five years of employment or part thereof/1300=amount/6.75=dollar amount per hour

4.32 WORKERS' COMPENSATION

Workers' compensation insurance benefits, in accordance with Missouri law, are available to all employees of the Mineral Area College District. If an employee is injured on the job, he/she must notify his/her supervisor immediately. Supervisors must notify the Human Resource office in order to file the claim and assist the employee in seeking medical attention. Employees are entitled to receive medical treatment for the work-related injury at no cost to the employee. Employees will be directed to a physician chosen by Mineral Area College, unless emergency services are necessary. If emergency services are necessary, the employee should be seen at the nearest treatment center available.

If an employee is unable to return to work per physician's orders, the employee may be eligible to receive temporary total disability (TTD). Employees do not receive TTD benefits for the first three (3) regularly scheduled work days unless they are off the job for a total of fourteen (14) calendar days at which time the employee will be reimbursed for the first three (3) days off the job. TTD benefits are calculated at two-thirds of the employees' average weekly wage not to exceed

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WORKERS COMPENSATION - CONTINUED

a maximum amount as set by legislature. TTD benefits cease when the employee is released by the physician and returns to work.

If after medical treatment the employee is not as physically able as he/she was prior to the injury, the employee may be assessed as having a permanent partial disability (PPD) and may have limitations or restrictions as to perform his/her job when he/she returns to work. Reasonable accommodations will be made for the injured employee if possible.

4.33 FAMILY AND MEDICAL LEAVE

- A. Those employees who have been employed for at least twelve months and for at least 1,250 hours during the previous twelve-month period may be entitled to up to twelve weeks' leave (ordinarily unpaid) during a rolling twelve-month period, commencing on the day leave begins, provided certain requirements are met, under the following circumstances:
- i. For birth and care of child, provided leave is taken within twelve months following birth;
 - ii. For placement of a child through adoption or foster care, provided leave is taken within twelve months following placement;
 - iii. For care of a spouse, child, or parent suffering from a serious health condition, where the employee is needed to care for such person; and
 - iv. For the employee's own care, provided the employee suffers from a serious health condition which renders the employee unable to perform any essential functions of his/her position.
 - v. For assistance to a spouse, son, daughter, parent, or next of kin of a military service member on active duty or called to active duty in support of a contingency operation if they have any qualifying exigency; and
 - vi. For the care of a military service member who received a serious injury or illness in the line of duty that rendered the individual medically unfit to perform the duties of the office, grade, rank, or

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FAMILY AND MEDICAL LEAVE - CONTINUED

rating, an eligible employee is entitled to up to 26 weeks of leave within 12 months.

“Serious health condition,” within the meaning of (3) and (4) above is a very limited term and will be determined in accordance with the Act and its Regulations.

All leave granted under this Policy, including intermittent and/or reduced leave, will be applied against the maximum entitled leave.

- B. Eligible employees are required to provide at least thirty (30) days’ advance notice of need for leave when foreseeable under (1) and (2) above, or for planned medical treatment pursuant to (3) and (4) above. When unforeseen events occur that require leave under this Policy, notice must be given as soon as practical, ordinarily not later than three (3) working days before the leave is to begin. An employee who fails to give appropriate advance notice as outlined above may be subject to disciplinary action.
- C. An employee who requires leave under (3) or (4) above must, within fifteen (15) calendar days after providing notice of the need for leave, submit the prescribed written certification form, signed by the appropriate health care provider, verifying the data on the prescribed form. Failure of the employee to submit the prescribed form within fifteen (15) days after providing notice of the need for leave will result in delay of leave until certification is submitted. If the certification is not provided, the leave is not FMLA-qualifying.

An employee may be required to obtain a second medical opinion, in the College’s discretion and at the College’s cost. If the two (2) opinions differ, the College and employee will select another health care provider for a third opinion, at the College’s expense, and that opinion shall be final and binding. Subsequent re-certification may be required in accord with law.

- D. Intermittent leave requests or requests for reduced leave scheduled under (3) and (4) above are subject to the same rules as stated in (B) and (C) above and hence a health care provider’s certification of medical necessity and the expected duration and schedule of the leave must be submitted on

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FAMILY AND MEDICAL LEAVE - CONTINUED

the prescribed form. The employee must, however, make a reasonable effort to schedule medical treatment so as not to unduly disrupt business operations. Further, if the need for leave is foreseeable based on planned medical treatment, the College reserves its right to transfer the affected employee temporarily to an alternate position with equivalent pay and benefits for which the employee is qualified, if the transfer better accommodates the requested leave.

- E. Eligible employees who are husband and wife are limited to only a combined total of twelve (12) weeks of leave during any twelve (12)-month period, if the leave is taken
- (1) for the birth and care of a child;
 - (2) for placement and care of a child; or
 - (3) to care for a parent (but not a parent-in-law) with a serious health condition.

Where the husband and wife both have used a portion of the twelve (12)-week entitlement for one of the above purposes, each are entitled to the difference between the amount he or she has taken individually and twelve (12) weeks to care for a child with a serious health condition or to care for their own serious health condition.

- F. Employees are required to substitute and exhaust accrued vacation pay and/or the personal holiday pay for leave requested under (1), (2), or (3). Employees are required to substitute and exhaust accrued vacation pay, the personal holiday pay, and/or paid sick leave for leave requested under (3) or (4). Such substituted paid time will be applied against the twelve (12)-week maximum.
- G. During the maximum entitled leave period, coverage under the health insurance plan, if any, will be maintained at the level and under the conditions coverage would have been provided had leave not been taken. Employees will be required to continue to pay their portion of premiums as if they had not taken leave. Said premiums will be paid in two (2) possible ways:
- (a) if a portion of the leave is paid pursuant to (F) above, then the ordinary payroll deduction system will be used, to the extent possible; and/or

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FAMILY AND MEDICAL LEAVE - CONTINUED

- (b) to the extent that payroll deduction does not cover the entire premium cost for which the employee is responsible, the employee must deliver to the College the full monthly cost of said premium on or before the last day of the month for which coverage is desired. One written reminder will be provided, and if the full portion of the premium has not been received by the date specified in the written reminder, the coverage will lapse as of the last day of the month for which the full coverage premium was paid.

If an employee fails to return to work for at least thirty (30) days after expiration of the leave, the College reserves its right to recover premiums paid, if any, to maintain employee coverage during the leave period under circumstances provided by law.

- H. As a condition of returning to work from a leave granted pursuant to (4) above, the employee must present, as soon as is possible, a certification from his/her health care provider that the employee is able to resume work. Restoration will be denied until the certification is presented. An employee returning from leave under this Policy, who has complied with its terms, generally will be restored to the same (or equivalent) position the employee held prior to leave. A returning employee does not, however, have a greater right to restoration or other benefits than if the employee had been continuously employed during the leave period. Employees are to notify the Human Resources Office of their intent to return to work at least two (2) weeks prior to the anticipated date of return.
- I. An employee who, within the calendar year, has exhausted his/her maximum entitled leave and fails to return to work, shall be considered to have resigned with notice and his/her employment will be terminated unless he/she applies for, and has been granted, leave under some other policy of the Employer.
- J. The foregoing Family and Medical Leave Policy has been drafted to comply with the Family and Medical Leave Act of 1993 and its Interim Final Rules published by the Department of Labor. This law, and its rules, consist of more than 120 pages of detailed rules and regulations, and hence, it is not possible in this policy to address all possible issues which

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FAMILY AND MEDICAL LEAVE - CONTINUED

might arise. The College will, in its discretion, apply and interpret this Policy consistently with the law, its rules and persuasions.

4.40 VACATION

General Services employees and Campus Police Officers will be allowed 80 hours of vacation each year for the first 5 years of employment. Thereafter, the vacation allowance will be 120 hours. All other classified employees will be allowed 67.5 hours of vacation each year for the first 5 years of employment. Thereafter, the vacation allowance will be 101.25 hours. General Services employees and Campus Police Officers serving less than a full year shall receive vacation in the amount equal to 6.67 hours per month worked. All other classified staff employees serving less than a full year shall receive vacation in the amount equal to 5.63 hours per month worked.

The time of vacation shall be scheduled in accordance with the needs of the College and, as nearly as possible, at the convenience of the employee. It may be necessary to divide the allowed vacation time into two or more periods. Vacation requests shall be made to the immediate supervisor and approved by the respective dean. Vacation time may be taken in increments of no less than one hour.

Classified employees may accumulate a maximum of 135 hours of vacation during the first five (5) years of employment (160 for General Services employees and Campus Police Officers) and 202.5 hours thereafter (240 hours for General Services employees and Campus Police Officers.) However, this does not in any way alter the statement, "Vacation accrued during any fiscal year should be taken by the end of the following fiscal year unless other arrangements are made with the supervisor and approved by the President." When an employee resigns, retires or is terminated, accrued vacation must be used before the separation date.

In the event of campus closure due to emergency or inclement weather, employees who have scheduled vacation leave are not required to utilize paid time off for the amount of time campus is closed.

4.41 HOLIDAY SCHEDULE (EXCLUDES GENERAL SERVICES AND CAMPUS POLICE)

Personnel will be allowed the following holidays based upon the needs of the College and the day on which the holiday falls.

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HOLIDAY SCHEDULE (EXCLUDES GENERAL SERVICES AND CAMPUS POLICE) – CONTINUED

New Year's Day	--	1 day
Presidents' Day	--	1 day
Spring Break	--	5 days*
Memorial Day	--	1 day
Independence Day	--	1 day
Labor Day	--	1 day
Veterans Day	--	1 day
Thanksgiving	--	2 days
Christmas	--	6 days*
Martin Luther King, Jr.	--	1 day
Spring Holiday	--	1 day

*Excludes Computer Services – Time may be taken at the discretion of the director.

In emergencies and in the interest of providing security, it may be necessary for campus police to work on the actual holiday. However, should this be required, the employee will be given another day off.

4.42 HOLIDAY SCHEDULE (GENERAL SERVICES AND CAMPUS POLICE)

General Services will be allowed the following holidays based upon the needs of the College and the day on which the holiday falls.

New Year's Day	--	1 day
Presidents' Day	--	1 day
Spring Break	--	2 days
Memorial Day	--	1 day
Independence Day	--	1 day
Labor Day	--	1 day
Veterans Day	--	1 day
Thanksgiving	--	2 days
Christmas	--	3 days
Martin Luther King, Jr.	--	1 day
Spring Holiday	--	1 day

4.43 EMERGENCY/PERSONAL LEAVE

All full-time classified employees may be allowed up to 21 hours per year for

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EMERGENCY/PERSONAL LEAVE – CONTINUED

emergency, funeral, or personal business leave. Such leave will be non-accumulative and may be taken in no less than one hour increments. In an extraordinary situation, the President of the College may approve emergency leave in excess of 21 hours per year; full salary will be paid for such leave.

Uses of emergency/personal leave in excess of 21 hours per year will be recorded and reported to the Board of Trustees. Classified personnel shall complete the “Report of Absence” form upon return from emergency/personal leave.

4.44 LEAVE OF ABSENCE

Leave of absence may be granted to classified personnel without remuneration. Leave must be requested in sufficient time to permit securing an adequate temporary replacement.

4.45 JURY DUTY

Mineral Area College encourages employees to fulfill their civic responsibilities by serving jury duty when required and will grant limited paid leave from work for jury duty. An employee must provide written documentation of a jury summons to his/her supervisor as soon as possible so that accommodations for his/her absence may be made. Employees are expected to report to work whenever the court schedule permits.

4.46 SEVERE WEATHER/EMERGENCY CLOSING

General Services, Campus Police, and employees in positions required for the essential operation of the institution are needed to work when campus is closed due to emergency or inclement weather.

4.50 PROFESSIONAL IMPROVEMENT

Each staff member is encouraged to continue his/her professional improvement. The Board of Trustees recognizes the value of continued professional improvement to Mineral Area College, to the student, to the community, and to the individual staff member.

A staff member pursuing an advanced degree or a program which broadens the scope of his/her abilities and knowledge, may apply to the President of the College, through the appropriate administrator, for reimbursement for professional

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PROFESSIONAL IMPROVEMENT – CONTINUED

improvement expenses. If the request is approved, reimbursement may be paid upon successful completion of the course. Reimbursement will be based on charges made by the University of Missouri (Columbia) for similar credits and based upon availability of funds.

4.51 RETIREE INSURANCE COVERAGE

Per RsMo 169.590, any employee retiring shall have the option of continuous insurance coverage. Retirees are responsible for payment of insurance premiums.

4.52 EARLY RETIREMENT NOTIFICATION

The College strives to recruit, employ and appropriately train replacement employees in a timely fashion. To enhance the College's hiring process, full-time employees who have worked full-time for at least 5 years may qualify for a monetary incentive in an amount to be set by the Board of Trustees. The monetary incentive is contingent upon the Board of Trustees receiving, by February 1, the employee's written intent to retire effective beginning the following fiscal year, or in special circumstances with at least 4 months' written notice.

4.60 ALCOHOL AND DRUG ABUSE POLICY

- I. All members of the campus community (students, faculty, staff, alumni, and guests) must adhere to all applicable state and local laws and College regulation related to the sale and use of alcoholic beverages and other drugs.
- II. No faculty or staff member shall secure or serve alcoholic beverages or illegal drugs to any student engaged in any College-related activity.
- III. The consumption, possession, or sale of alcoholic beverages or illegal drugs is strictly forbidden on campus.
- IV. Anyone under the influence of alcohol or illegal drugs or any other violation of College policy regarding drug abuse shall be subject to disciplinary action.
- V. An educational program shall be provided addressing the problems of alcohol and drug abuse. The program will include information services, posters, and brochures.

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ALCOHOL AND DRUG ABUSE POLICY – CONTINUED

- VI. Employees identified as having drug and/or alcohol related problems may be referred to counseling.
- VII. Disciplinary proceedings for drug/alcohol related abuses shall be conducted using current policies of Mineral Area College. (See 4.62)

4.61 DRUG AND ALCOHOL POLICY FOR DOT VEHICLE DRIVERS

The Board of Trustees authorizes the administration to establish procedure for compliance with U.S. Department of Transportation Section 382.601, pertaining to the development of a safety compliance manual for truck and van drivers. The administration will review the procedure annually.

4.62 POLICY FOR A DRUG-FREE WORKPLACE

WHEREAS, it is recognized by the Mineral Area College Board of Trustees, Park Hills, Missouri, that it is necessary that all college employees report to work on time and in an appropriate mental and physical condition for work;
And

WHEREAS, the Board of Trustees wishes to establish a policy pertaining to maintaining a drug-free workplace.

NOW, THEREFORE, BE IT RESOLVED that the following policy be adopted:

1. The manufacture, distribution, dispensation, in the College District's workplace, of a controlled substance (as defined by Chapter 195 RSMo) is hereby prohibited and shall result in disciplinary action (including the possibility of suspension or discharge) to the violating employee.
2. Any employee who comes to work or is at work while under the influence of alcohol or who consumes alcohol at work shall be subject to the same disciplinary action as provided above for employees involved with the unlawful use of a controlled substance.
3. Any employee convicted of a drug crime shall report their said conviction within two (2) days after said conviction to either their respective supervisor or the Director of Human Resources.

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POLICY FOR A DRUG-FREE WORKPLACE – CONTINUED

4. Compliance with the provisions of this policy is a condition of an employee's initial and continuing employment.

Article 4 approved by Board 6-11-15

Article 4 revisions to leave policy approved 8-10-17 (sections 4.30, 4.31, 4.40, 4.43)

Article 4 amended 11-16-17 to add section 4.52

Article 4 amended 06-14-18 to add section 4.61