

**SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE**

# **EMPLOYEE HANDBOOK**



## Contents

Section 1 - Introduction .....	3
Welcome to Southwest Mississippi Community College.....	4
About This Handbook.....	5
Scope and Application .....	5
From the Office of Human Resources Room 221, Kenna Hall .....	6
Workplace Expectations .....	8
Section 2 - Employment Policies.....	15
Equal Employment Opportunity.....	16
Nondiscrimination Policy .....	16
Recruiting and Hiring Procedures .....	17
Purpose.....	17
Orientation Program.....	19
Probationary Periods for New Hires .....	20
OTHER PROBATIONARY PERIODS .....	20
Harassment Policy and Procedure .....	23
Sexual Harassment Policy and Procedure.....	25
Explanation of Sexual Harassment .....	25
Illustrations of Sexual Harassment .....	26
Employment of Relatives.....	27
Outside Employment .....	28
Personnel Files .....	30
Substance Abuse .....	30
Drug and Alcohol Testing.....	31
Commercial Drivers Controlled Substance Use and Testing .....	32
Applicability .....	32
Purpose.....	32
General Policy.....	32
Enforcement and Accountability .....	32
Notifications.....	32
Computer and Network Policy.....	33
Freedom of Expression & Misconduct .....	40
User Privacy.....	41
Travel Expense Reimbursement Policy .....	41
Policy .....	41
Accommodations, Taxes, Modes of Travel .....	42
Reimbursements, Valid Expenses, Travel Expense Report.....	42
Intellectual Property Rights Policy .....	44
Introduction.....	44
Policy .....	45
Release of Information to the Public Media .....	45
Section 3 – Employee Compensation Policies.....	46
Classifications of Employment .....	47
Full-Time Regular.....	47

Part-Time Regular.....	47
Temporary.....	47
Exempt.....	47
Non-Exempt.....	47
Regular work day.....	49
Alterations in Schedules.....	49
Overtime.....	49
Recording Work Hours.....	50
Regular Pay Procedures.....	51
Frequency.....	51
Deductions.....	51
Timesheets and Leave Reports.....	51
Direct Deposit.....	51
Overtime Pay Procedures.....	52
Exempt Employees.....	52
Non-Exempt Employees.....	52
Approved Position Descriptions.....	52
Salary Adjustments.....	53
Severance Pay.....	53
Section 4 – Employee Benefits.....	54
<i>Twelve-month employees</i> .....	55
<i>Nine-month, ten-month, and eleven-month employees</i> .....	56
<i>Additional Leave Policies</i> .....	57
Policy.....	59
Procedure.....	62
Section 5 - Employee Conduct.....	66
Introduction.....	67
Workplace Expectations.....	67
Absenteeism and Tardiness.....	69
Telephone Procedures.....	70
Confidentiality of Information.....	70
Solicitation and Distribution of Literature.....	71
Health Safety and Security.....	72
Voluntary Termination of Employment.....	73
Workplace Violence.....	73
Solicitation of Funds.....	73

# Section 1 - Introduction

# About This Handbook

This Handbook has been prepared to answer some of the questions you may have concerning the College and its policies. Please read it carefully and retain it for future reference. The policies stated in this Handbook are subject to change at the sole discretion of Southwest Mississippi Community College (SMCC). From time to time, you may receive updated information concerning changes in policy. Should you have any questions regarding any policies, please ask your supervisor or a member of the College's Office of Human Resources for assistance.

This Handbook and its contents **do not constitute an express or implied contract of employment.** Unless otherwise provided in an express written contract, employment at the College is **at will** and may be terminated for any reason, with or without notice, by the College or by you, as an employee. Only the SMCC Board of Trustees at the recommendation of the President of the College is authorized to bind the College to a written contract of employment.

In this Handbook, the College has endeavored to provide you with an overview of the policies and procedures that will promote positive employee relations and a productive workplace of which we all can be proud. With the distinctive educational mission of the College, it is imperative that each and every staff member performs the duties assigned to them and do so effectively, congenially and collaboratively. Creating an atmosphere where all who come to the College are welcome to work, learn and serve together requires all of us to demonstrate a high level of courtesy and respect for one another and the many students, community members, visitors, and friends of the College with whom we have contact on a daily basis.

This Handbook is designed to provide information that will make it easier for you to develop and maintain successful relationships as a member of the Southwest Mississippi Community College staff. It provides a general view of the College's employee benefits, your responsibilities as an employee, and work rules at the College. The Handbook should also help you answer the most commonly asked questions about employment at the College. It is impossible to write policies that will cover every possible situation and it is also highly unlikely that existing policies will not require some modification over time. Consequently, the College reserves the right to interpret, modify or make exceptions to its policies and procedures at any time, and to terminate existing policies or add new ones as necessary.

## ***Scope and Application***

This Handbook and the policies stated herein are applicable to all employees of Southwest Mississippi Community College, including administration, staff and faculty. Provided, however, in the application of this Handbook to members of the College faculty, should there be an express conflict between any provision of this Handbook and the Faculty Manual, then the latter shall have precedence. In addition, certain policies such as the General Harassment Policy and the Sexual Harassment Policy are applicable to all members of the College community.

***From the Office of Human Resources Room 221, Kenna Hall***

The Office of Human Resources serves as a resource center for the staff and faculty of Southwest Mississippi Community College. Compensation, benefits, certain employee activities, learning and training opportunities and various recognition efforts are managed through this office. You are encouraged to alert the Human Resources staff if you have a question, a concern or a complaint with which they may be able to assist you. Listed below are the Human Resources Staff who are eager to meet with you as needed:

Human Resources Specialist	Becky Newman	276-3841
Vice President for Business Affairs	Andrew Alford	276-3704

# History of Southwest Mississippi Community College

In 1918, Southwest Mississippi Community College was a small agricultural high school with a faculty of six who taught a student body of 34. Classes were held in the “Old Hotel” building at Godbold’s Mineral Springs in the “resort” community of Summit, Mississippi. This was a state as well as a national resort noted for its mineral waters. The first permanent building, Kenna Hall, was built in 1921. This building is still in use today.

The agricultural high school first offered college work in 1929 and the second year courses were added in 1932 when the school became a two-year college. The original campus consisted of classroom buildings, dormitories, and a comprehensive farm including dairy, beef, and row-crop operations.

The school has continued to grow and develop. Still located on the original site, the campus now includes 28 buildings and five athletic stadiums and/or fields. The buildings are situated around a central lake with walk-ways, bridges, and paths connecting the buildings. The entire campus is made up of approximately 863 acres, much of which is now a tree farm.

Southwest has had seven presidents: J.M. Kenna, 1918; H.D. Pickens, July 1947; Clyde H. Snell, July 1948; Charles C. Moore, July 1951; H.T. Huddleston, July 1952; Horace C. Holmes, July 1972; and Oliver W. Young was named president in July 2005.

## Mission Statement

Southwest Mississippi Community College provides academic, career, and continuing education, meeting the diverse needs of the population at a reasonable cost. SMCC provides community services and promotes economic development through consultative and workforce training.

### **Goals**

1. To provide a two-year college transfer program applicable to a bachelor’s degree.
2. To provide career and technical programs leading to employment or skills enhancement.
3. To provide programs enabling students to overcome specific deficiencies and achieve success.
4. To provide curricula, instruction, guidance extracurricular activities, and other support services enhancing student development.
5. To provide facilities, technology, methodology, and staff sustaining an appropriate environment conducive to learning.
6. To provide lifelong learning opportunities.
7. To provide facilities and serve supporting cultural, educational, and economic needs.
8. To publicize offerings of the institution and the opportunities it affords.

# Workplace Expectations

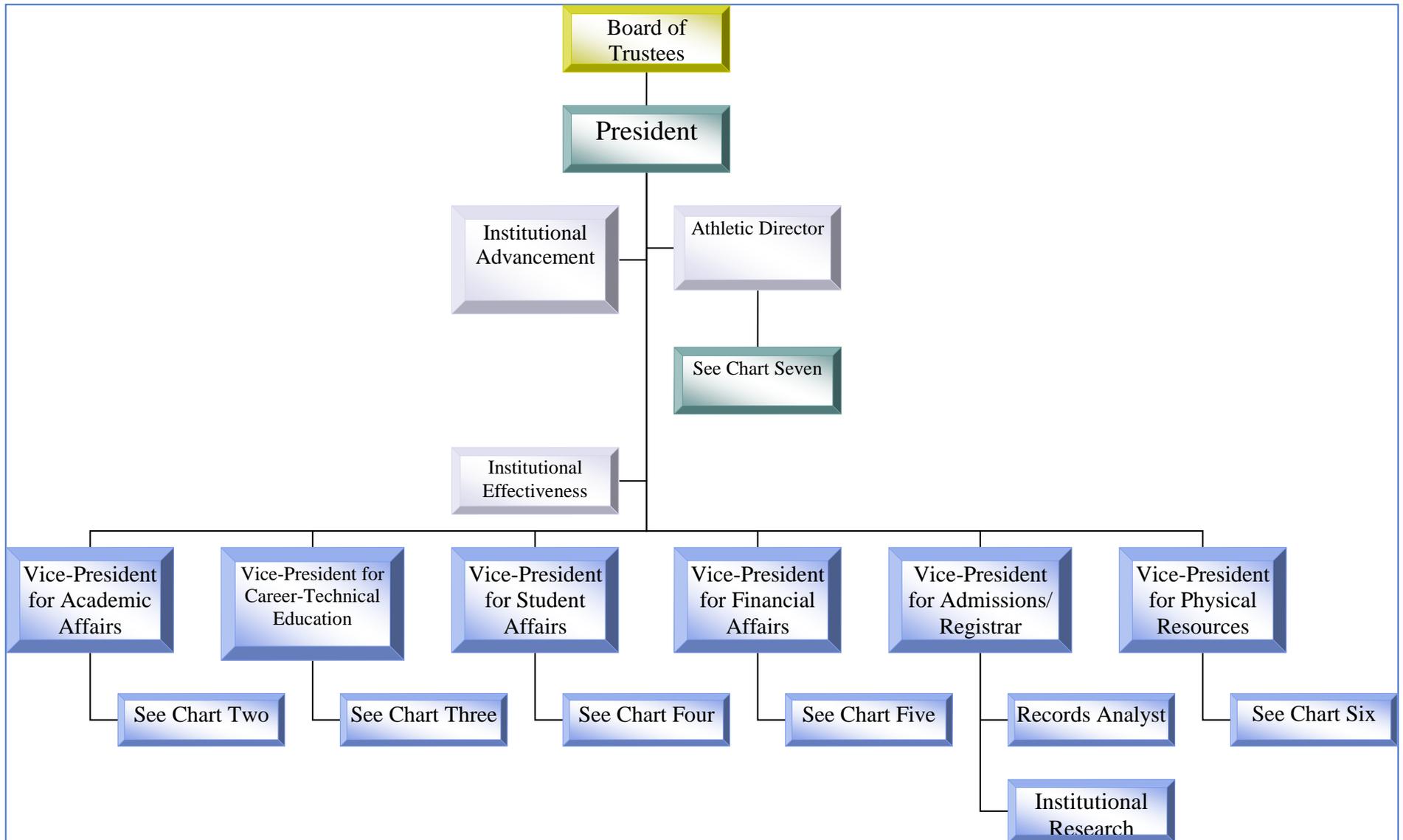
The Workplace Expectations translate the mission of Southwest Mississippi Community College into seven guiding standards for the Southwest Mississippi Community College workplace. Inspired by the College's strategic planning process, the Workplace Expectations define how SMCC's workforce should go about its business. By incorporating these expectations into their daily work, every Southwest Mississippi Community College employee helps create a workplace today that connects with SMCC's proud history.

As a continuous learning environment built upon SMCC's Mission and Common Goals, Southwest Mississippi Community College expects all employees "to be active learners, workers and servers," and seeks to be a place where the values of human compassion, dignity, and equity are expressed and lived.

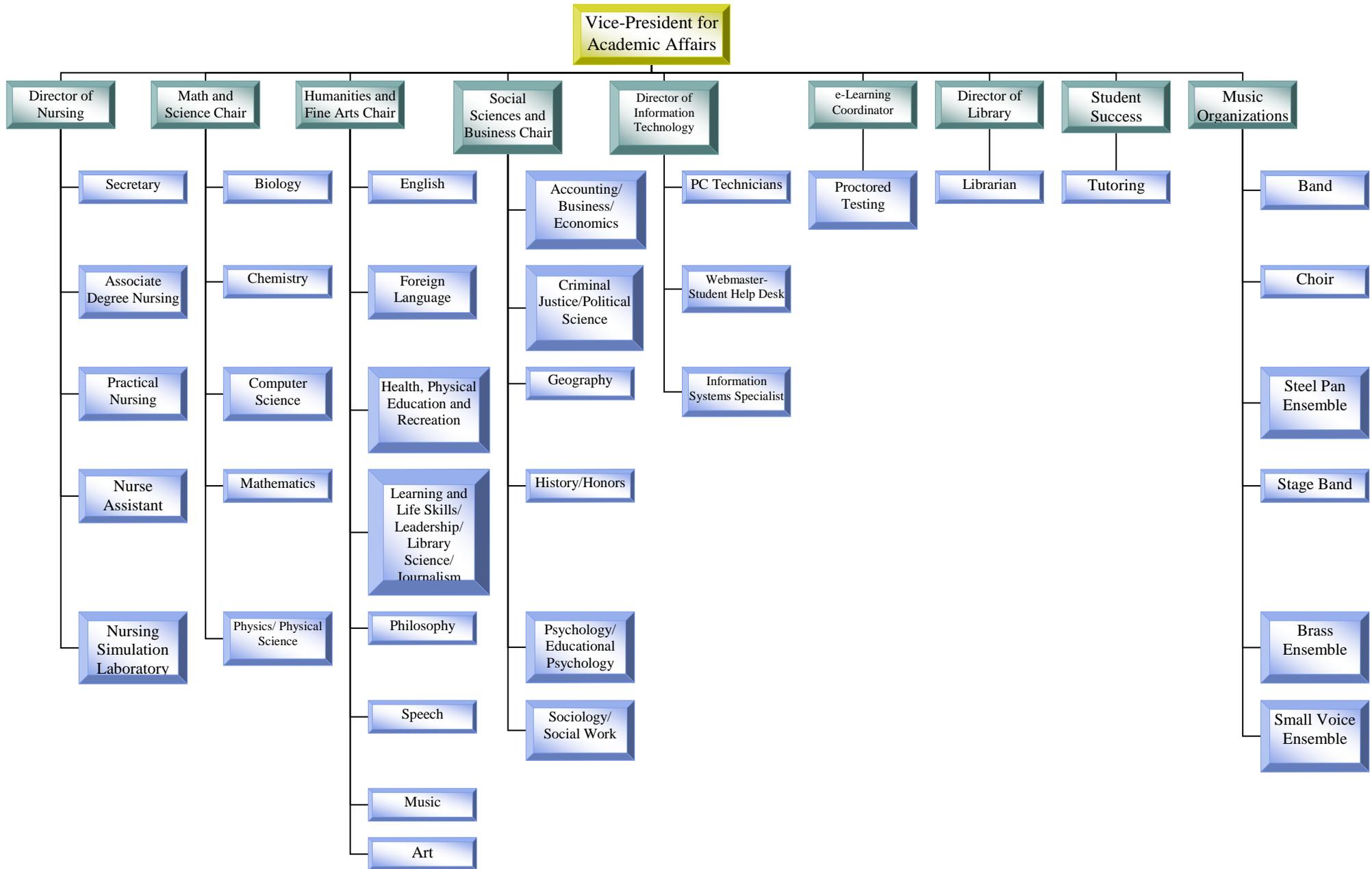
**Therefore, employees are expected to:**

- Exhibit enthusiasm for learning
- Act with integrity and caring
- Value all people
- Work as a team
- Serve others
- Encourage plain and sustainable living
- Celebrate work well done

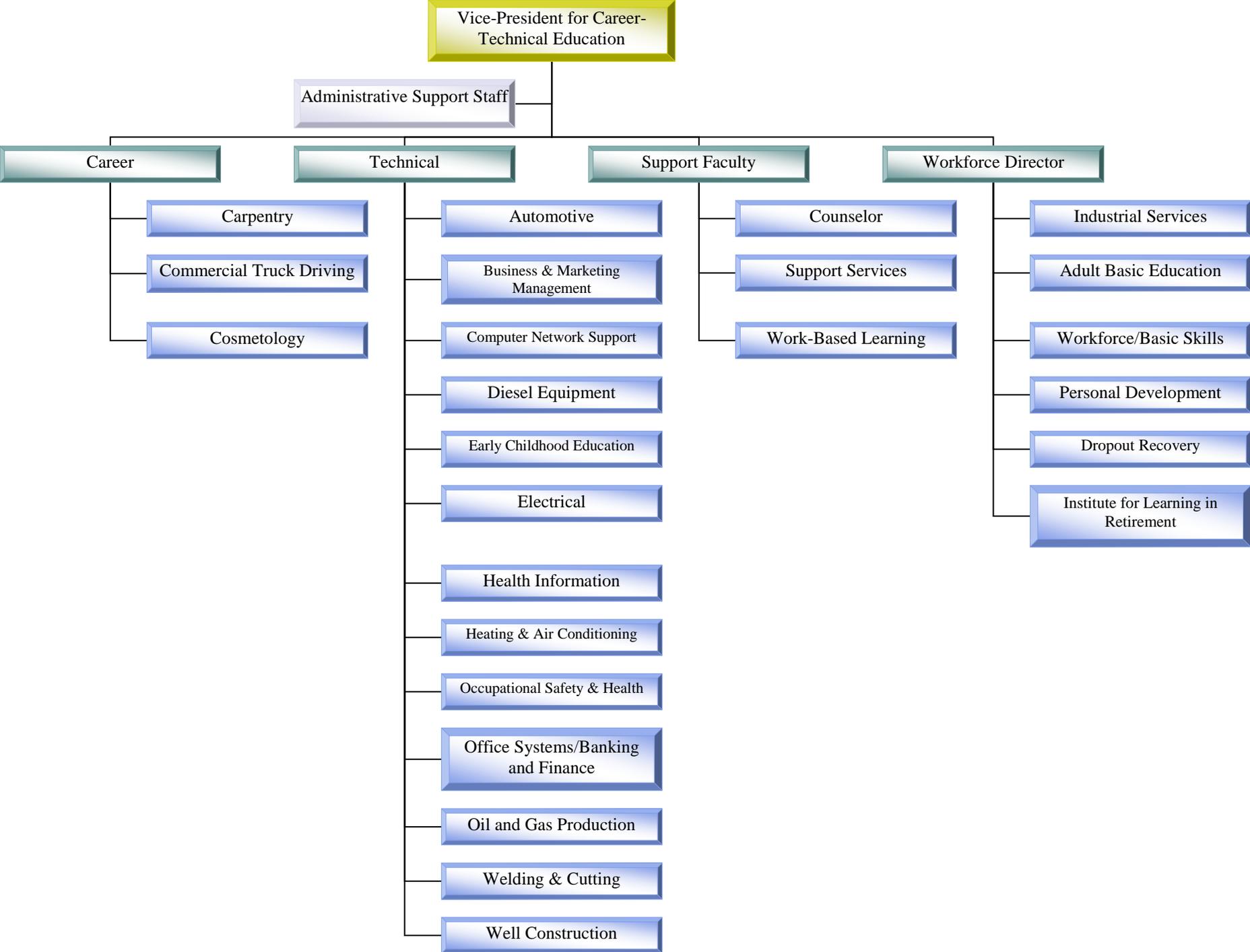
# Southwest Mississippi Community College Organizational Charts



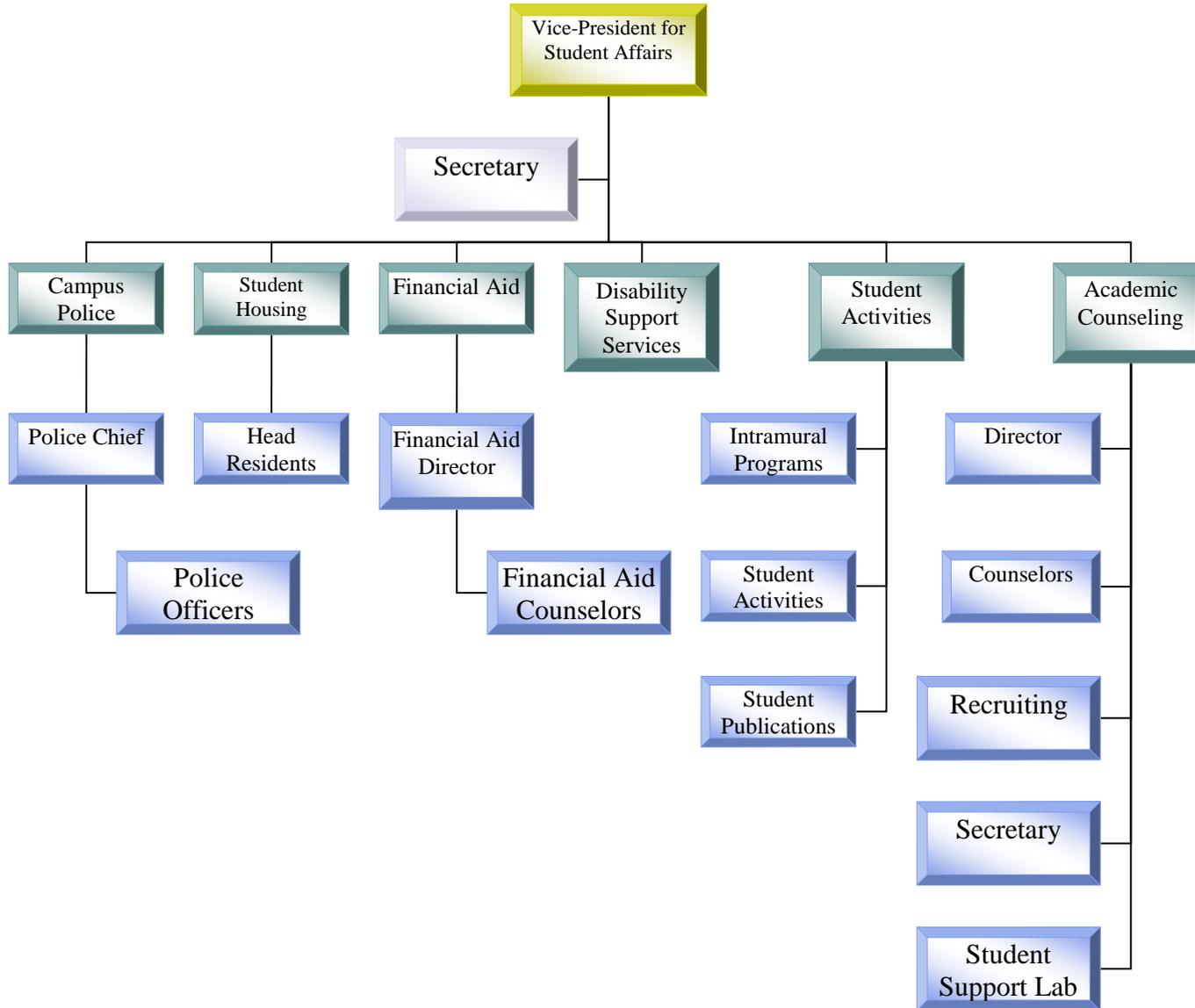
# Organizational Chart Two



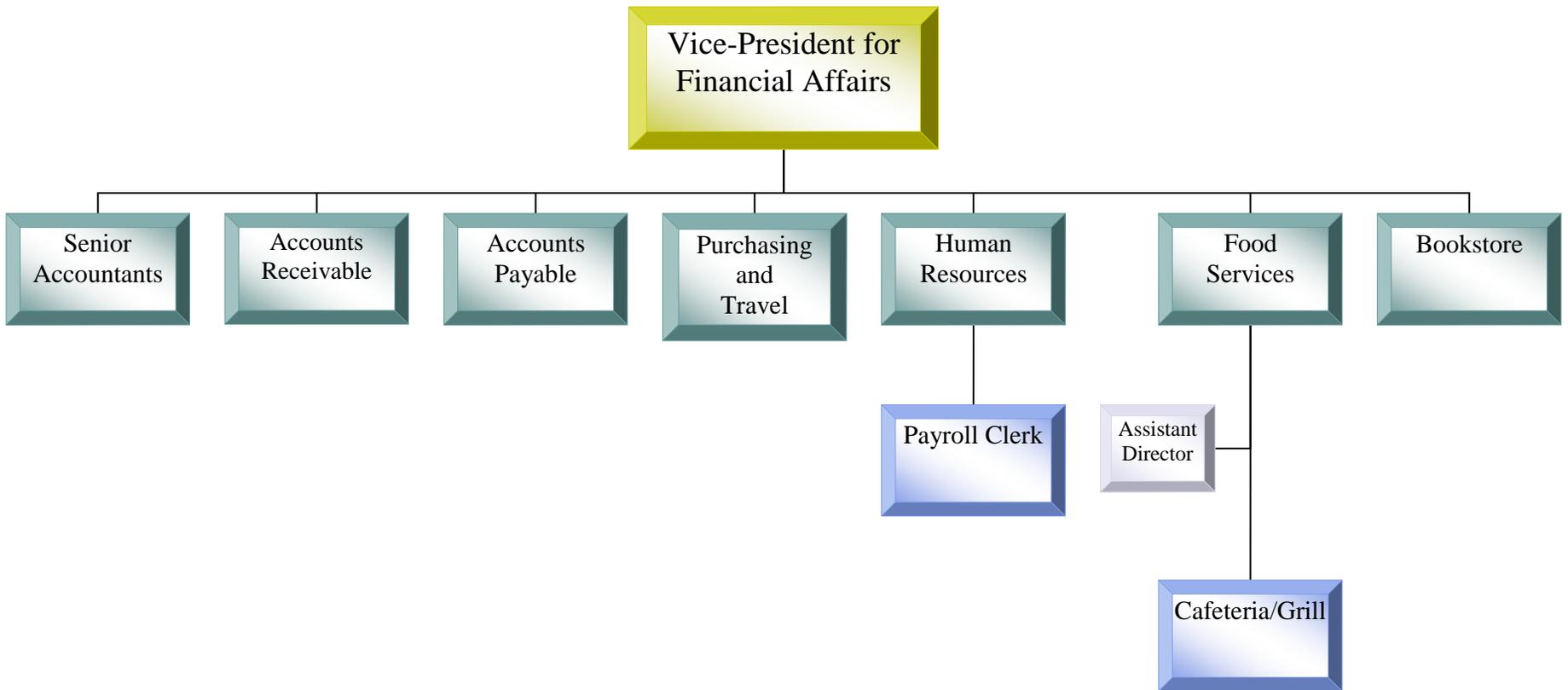
# Organizational Chart Three



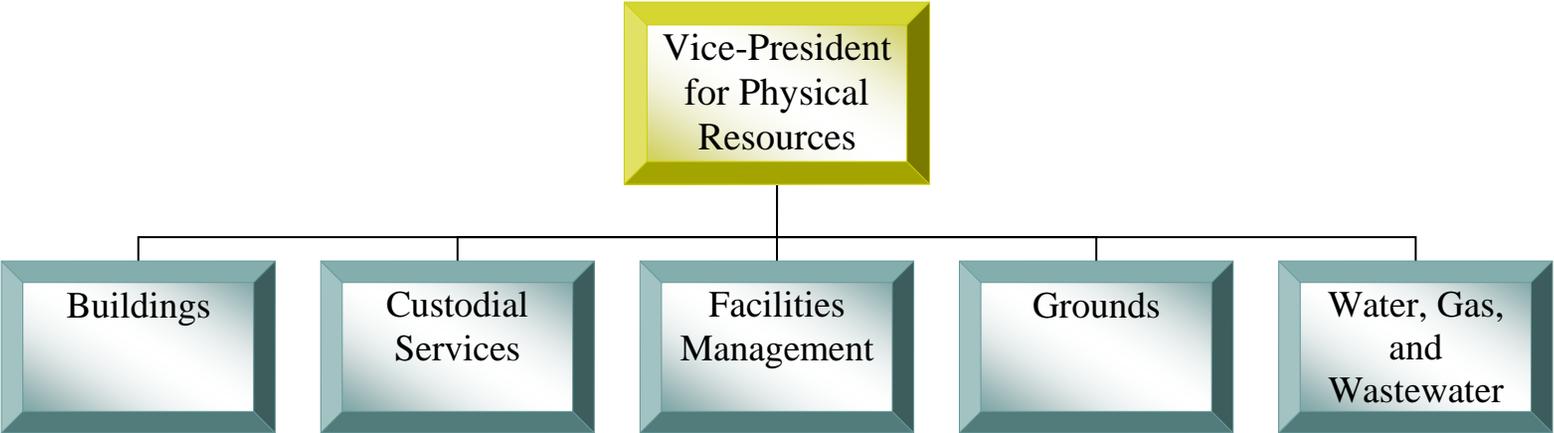
# Organizational Chart Four



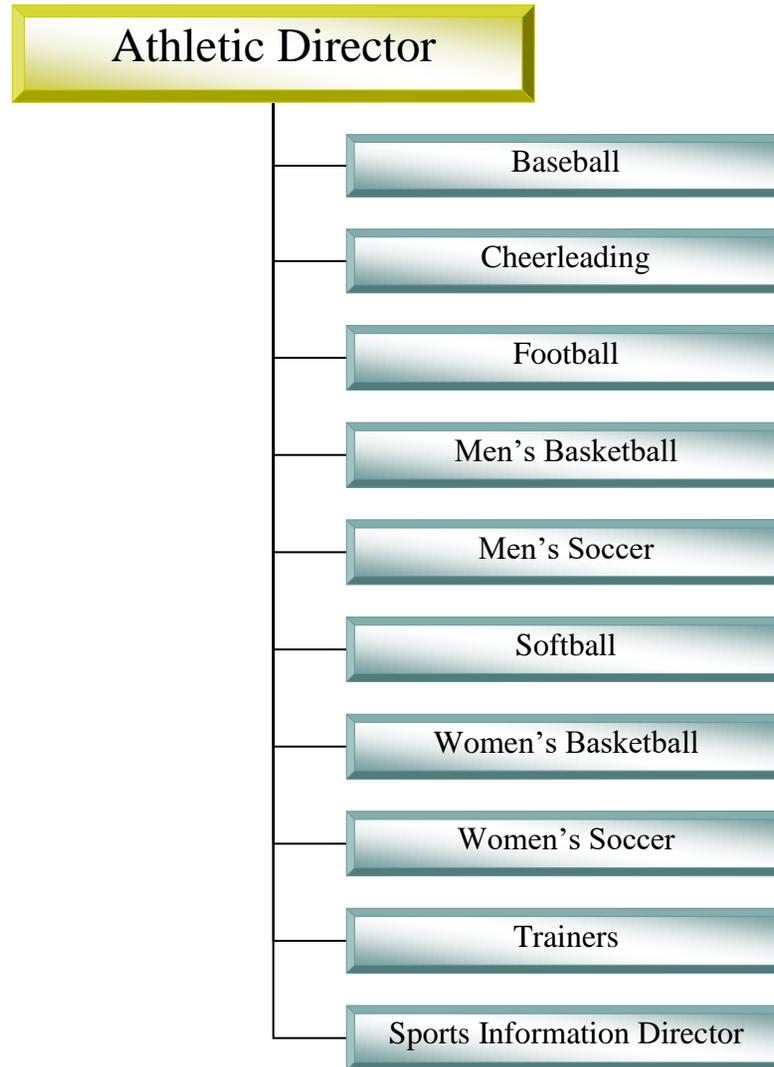
## Organizational Chart Five



# Organizational Chart Six



## Organizational Chart Seven



# Section 2 - Employment Policies

# Equal Employment Opportunity

The College provides equal employment opportunity to all employees and applicants for employment regardless of their race, color, sex, sexual orientation, religion, age, national origin, political affiliation, disabling condition, or service in the uniformed services, in accordance with applicable law. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

# Nondiscrimination Policy

It is the policy of Southwest Mississippi Community College not to discriminate on the basis of race, color, religion, national or ethnic origin, age, sex, handicap, or sexual orientation in its educational programs, admissions practices, scholarship programs, athletics and other school-administered activities or employment practices. This policy is in compliance with the requirements of Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, regulations of the Internal Revenue Service, and all other applicable federal, state and local statutes, ordinances and regulations.

The College has appointed a compliance officer regarding handicap and sex discrimination. In accordance with Section 504, the Coordinator oversees activities and facilities to insure that they are accessible to disabled persons and that the College is in full compliance with the Rehabilitation Act of 1973 and subsequent related legislation. In accordance with Title VII/IX, the Coordinator is charged to assist all elements of the College to eliminate any vestiges of discrimination based on gender, and to monitor institutional compliance with Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Education Amendments of 1972 and related legislation. The coordinator is available to receive inquiries and complaints; all complaints are thoroughly investigated and appropriate action taken. See Directory for a current listing.

# Recruiting and Hiring Procedures

## ***Purpose***

This policy is intended to strengthen and systematize the recruitment and hiring of Southwest Mississippi Community College employees. First, this policy informs each hiring unit (e.g., department, office, etc.) of the procedures required to hire new staff. Second, this policy seeks to improve the quality and diversity of applicant pools and selected candidates. Third, this policy seeks to align recruitment and hiring practices with SMCC's institutional mission. If there are any questions about the intent or application of the following policies and procedures, please contact the Office of Human Resources.

## ***For Faculty Employment:***

1. The Vice President of Academic Affairs, who maintains a file of letters requesting employment, will forward an application for employment to the best-qualified individuals and ask these individuals to submit official college transcripts, teaching experience, and a short, handwritten autobiography.
2. Subsequently the President, with the Vice President of Academic Affairs and the division chair and possibly other faculty from the division, will interview the best-qualified of those who respond.
3. During the interview, it should be determined whether an applicant's oral communication skills are satisfactory for the position. Candidates may be asked to teach a trial class under the supervision of the Vice-President of Academic Affairs or a division chair.
4. When a prospective instructor has been identified, the President will make a recommendation to the Education Committee of the Board of Trustees for final approval.
5. Upon approval by the Board of Trustees, the Vice President of Academic Affairs will extend an offer of employment.

## ***For Staff and Other Employment:***

1. Employment advertising will be developed collaboratively between the hiring department and Human Resources. Advertising will be carefully placed to increase diversity within the potential employment pools. Advertising will be approved and placed by Human Resources or by the appropriate Vice President in consultation with Human Resources.
2. Prescreening, interviewing, and documentation methods (e.g. notes, etc.) are discussed with those who are involved in the interviewing process. All applicants considered for hire must be able to perform the essential duties of the position and meet the minimum requirements of the position. Attention will be paid to affording diverse candidates full consideration.
3. All materials received directly by hiring departments must be forwarded to Human

Resources for appropriate recording and processing. At the appropriate time, Human Resources will provide the applications to the hiring department or search committee for review. A determination of the candidates to be interviewed will be made by the department or committee.

4. During the interview, each applicant should be asked questions about workplace expectations (e.g., teamwork, integrity, etc.). Attention should be paid to the applicant's background and experience relevant to the particular duties of the position. Also, ask for any questions the applicant may have about the College and the position.
5. Unless already obtained by the hiring department, work and/or personal references will be obtained by Human Resources, and this information will be communicated to hiring committee or department. Due diligence should be exercised in following up on references and any questionable areas they may raise or indicate. All reference information and records must be sent to Human Resources at the end of the search.
6. To select an applicant for employment, the hiring supervisor will discuss with the particular division Vice President, the appropriate salary to be offered to the applicant. Salary determinations will be made based on the applicant's relevant experience and *only* after a consulting with the Vice President for Business Affairs.
7. Once the salary determination is made, an offer of employment will be extended on behalf of the college by one of the following: the President, the appropriate Vice President, or the Human Resources Specialist. **The offer of employment letter will include the fact that employment with the college is contingent upon the completion of a drug test and background check. All letters for employees not receiving contracts will also include an "at-will" statement which must be signed by the new employee.**

### ***Post Offer***

1. A Request for Personnel Action (RPA) Form must be completed, signed, and forwarded to Human Resources prior to the proposed hire date.
2. An appointment letter will be sent to newly hired employees by the Human Resources Specialist (or the President or a Vice President) and a copy of the letter will be forwarded to the hiring department.
3. A department-specific plan for orientation will outline how the new employee will be oriented and acquainted with staff, departmental procedures, policies, etc.
4. Newly hired staff members will be scheduled by Human Resources for benefits orientation and payroll enrollment normally within the first 48 hours of employment.
5. Human Resources or the hiring department will correspond with the remaining applicants to inform them that the position has been filled.

# Orientation Program

During your first few days of employment, non-teaching staff members will participate in an initial orientation program conducted by Office of Human Resources and various members of their department, including their supervisor. During this program, newly hired staff members will receive important information regarding the following: performance requirements of the position, basic College policies, compensation and benefit programs, plus other information necessary to acquaint oneself with a new job and with Southwest Mississippi Community College. At this time, all necessary paperwork such as medical benefit plan enrollment forms, beneficiary designation forms, and appropriate federal, state, and local tax forms will be completed. All newly hired Southwest Mississippi Community College employees are required to present the Office of Human Resources with information establishing both identity and eligibility to work in the United States in accordance with applicable federal law.

The orientation program is the time to familiarize oneself with the College and the College's policies and benefits. We encourage you to ask any questions you may have during this program so that you will understand all the guidelines that affect and govern your employment relationship with us.

# Probationary Periods for New Hires

A probationary period of 90 days for new hires is a helpful way to make certain that the orientation process and the staff member's work performance are in alignment with the goals and objectives of the department and the College. This allows for frequent communication and feedback to the employee by his or her supervisor and is intended to create opportunities for the discussion of actual work performance, the transition to the College campus environment, and the identification of both short and long term goals.

## ***OTHER PROBATIONARY PERIODS***

In some situations, a probationary period may be necessary at other times during employment where performance or employee conduct do not meet the expectations of the department. In situations where a "cautionary" probation period is identified, improvement is required if employment is to be continued. Such instances are documented in writing and explained to the employee by the employee's supervisor at the time the probationary status is communicated.

# Performance Evaluations and Feedback

The College values the contributions of all employees and strives to provide an environment where those contributions can be acknowledged. We believe that our employees are and will continue to be good citizens, both in the community and on their jobs and they ordinarily will not engage in acts contrary to the best interests of themselves, other employees and the community at large. To that end, regular and open communication between employees and supervisors is essential to provide the necessary information and tools to ensure that each employee has the opportunity for success on the job.

## ***Performance Expectations***

The College expects a high level of performance, professionalism, and accountability from staff and administrators. Employees are guided to always give their best effort in their work; meet reasonable standards of efficiency and performance; and to always honor their work schedules. Communication between a manager and employee regarding performance-related issues should occur on a regular basis and a formal performance review, including a plan for employee development, should be conducted annually.

## ***Coaching and Counseling***

Employees are encouraged to ask questions and request guidance from their supervisors whenever needed, and, through coaching, supervisors are encouraged to provide regular feedback to employees on their performance and on their continued development.

When performance falls below expectations, supervisors may use a more formal counseling approach to address the performance issue. Counseling should be documented in writing and kept in the supervisor's files and in the Office of Human Resources for future reference.

## **Coaching and Counseling Procedures**

**Coaching** is the ongoing process whereby the supervisor directs the development of the employee through regular performance feedback. If the employee is meeting the supervisor's expectations, positive feedback can be used to reinforce performance and further motivate the employee to even higher levels of performance.

**Counseling** occurs when there are performance problems and may be used to assist the employee in achieving a satisfactory level of performance prior to initiating any more formal resolution. In such cases, the supervisor should meet with the employee to clarify performance expectations and determine what obstacles are impeding the employee's ability to perform to standard. The problem could be a lack of clear instructions, a need for training, the lack of tools/resources, or the impact of another employee's behavior. Whatever the cause, it is the supervisor's role to minimize the barriers to acceptable performance and provide clear expectations for the employee. Job descriptions, employee development plans, and relevant policies and procedures can be valuable tools for this purpose and should be reviewed during

such meetings. The following may be helpful in preparing for a counseling meeting:

Before the meeting, review relevant documentation.

During the meeting, state the problem in terms of expected performance vs. actual performance; allow employee to respond; and jointly develop a solution.

After the meeting, document the meeting and, most importantly, follow up.

The counseling meeting should be viewed as developmental rather than punitive.

### ***Corrective Action***

Any employee conduct that in the opinion of Southwest Mississippi Community College interferes or adversely affects our business is sufficient grounds for corrective action. Corrective action can range from oral warnings to immediate termination.

When coaching, counseling, and development plans fail to assist an employee in achieving the expected level of performance, or when behavior or conduct is severe enough to require immediate corrective action, the College follows a general policy of progressive discipline typically in the following order:

Counseling Session documented to file

Verbal Warning documented to file

Written Warning to file

Final Written Warning to file

Suspension

Termination

# Harassment Policy and Procedure

## ***Purpose***

Harassment of any kind is not acceptable at Southwest Mississippi Community College. It is inconsistent with the College's commitments to excellence and to respect of all individuals. Southwest Mississippi Community College is also committed to the free and vigorous discussion of ideas and issues, which the College believes will be protected by this policy.

## ***Scope***

This Harassment Policy applies to all persons who are enrolled or employed at Southwest Mississippi Community College while they are on College property or are participating in a College sponsored activity off-campus. The **Procedures for Reporting, Investigating and Hearing Complaints of Harassment, Sexual Harassment and Other Types of Discrimination** described below (the "Harassment Procedures"), apply to situations in which either of the complainant or the respondent are employed at Southwest Mississippi Community College.

Situations which involve others, including applicants for admission or employment who believe they have been harassed by employees of Southwest Mississippi Community College, and students and employees of Southwest Mississippi Community College who believe they have been harassed by contractors or vendors serving the College, will be resolved through procedures for complaints of discrimination. Persons who believe they have experienced these situations should contact the Human Resources Specialist or the ADA Compliance Coordinator.

## ***Policy***

Southwest Mississippi Community College welcomes all students and staff seeking to live and to learn at Southwest in the context of our mission, but this does not mean that the College condones all behaviors as acceptable from all individuals or groups. The College will not tolerate speech and acts that are harassing to anyone regardless of race, gender, religion, sexual orientation, or other such distinguishing characteristics.

Southwest Mississippi Community College is committed to protecting the academic freedom and freedom of expression of all members of the College community. This policy against harassment shall be applied in a manner that protects the academic freedom and freedom of expression of all parties to a complaint. Academic freedom and freedom of expression include but are not limited to the expression of ideas, however, controversial, in the classroom, residence hall, and, in keeping with different responsibilities, in workplaces elsewhere in the College community.

## ***Definition of Harassment at Southwest Mississippi Community College***

Harassment is the creation of a hostile, offensive or intimidating environment, in which verbal or physical conduct, because of its severity and/or persistence, has the purpose or effect of substantially interfering with an individual's work or education, or adversely affecting an individual's living conditions.

Harassment prohibited by this Policy includes conduct and behavior which substantially interferes with the mutual respect and collegiality afforded all individuals at Southwest Mississippi Community College. In

particular, harassment may include instances of verbal or physical behavior directed at an individual which are abusive of that individual's distinguishing characteristics, including race, age, religion, sexual orientation or national origin to such an extent as to substantially interfere with such individual's work or education or adversely affect the individual's living conditions. The conduct alleged to constitute harassment under this policy shall be evaluated from the perspective of a reasonable person similarly situated to the alleged victim and considering all of the relevant circumstances. In considering a complaint under Southwest Mississippi Community College's Harassment Policy, the following shall apply:

Harassment must be distinguished from behavior that, even though unpleasant or disconcerting, is appropriate to the carrying out of certain instructional, advisory, or supervisory responsibilities. Instructional responsibilities require appropriate latitude for pedagogical decisions concerning the topics discussed and methods used to draw students into discussion and full participation.

**The following behaviors are prohibited by the Harassment Policy:**

### ***Reprisals***

**Against the Complainant:** It is a violation of Southwest Mississippi Community College's Harassment Policy for any employee or College official to retaliate against a complainant for filing a charge of harassment. A complaint of retaliation may be pursued using the steps followed for a complaint of harassment. When necessary, the appropriate Division Chairperson or other College officer may monitor student grading or faculty/staff reappointment, promotion, or other decisions to ensure that prohibited retaliation does not occur.

**Against the Respondent:** Lodging a complaint of harassment is not proof of prohibited conduct. A complaint shall not be taken into account during reappointment, tenure, promotion, merit, or other evaluation or review until a final determination has been made that the College's Harassment Policy has been violated.

### ***Knowingly False or Malicious Complaints***

To file a knowingly false or malicious complaint of harassment or retaliation is a violation of the Harassment Policy. Such conduct may be pursued using the steps followed for a complaint of harassment. A complaint under this provision shall not constitute prohibited retaliation.

### ***Intentional Breaches of Confidentiality***

All participants in the harassment Complaint Resolution process, including the complainant and respondent, witnesses, advisors, mediators, and officers, shall respect the confidentiality of the proceedings. Breaches of confidentiality jeopardize the conditions necessary to the workings of internal procedures for resolution of claims of harassment. Participants are authorized to discuss the case only with those persons who have a genuine need to know.

# Sexual Harassment Policy and Procedure

All Southwest Mississippi Community College employees and students are expected to conduct themselves in accordance with the high human values that arise from the College's commitments and traditions. The College is committed to study, reflection, work, and social interaction which manifest these high values and foster healthy human development. This requires an environment of mutual respect free of religious, racial, or sexual discrimination and free from harassment.

Southwest Mississippi Community College specifically prohibits sexual harassment of students, employees, or visitors, and is committed to investigating and resolving all such complaints. Such conduct will result in disciplinary action up to and including dismissal, whether the offender is faculty, staff, administrator, student, or trustee. The policy applies also to vendors, contractors, or other persons doing business with the College, in which case appropriate recommendations and business decisions will be made. Also prohibited is retaliation through discrimination, intimidation, threat, coercion, or any other means against anyone who has reported sexual harassment or filed a grievance alleging sexual harassment. Procedures for reporting, investigating, and hearing complaints of sexual harassment are described in the Harassment Policy and Procedure.

In prohibiting sexual harassment in all its forms, Southwest seeks to preserve and enhance academic freedom for all members of the campus community. Nothing in this policy is intended to limit the freedom of inquiry, teaching, or learning necessary to the College's educational purposes, or to inhibit scholarly, scientific, or artistic treatment of subject matter appropriate to an institution of higher education.

## ***Explanation of Sexual Harassment***

Sexual harassment is a form of sex discrimination prohibited by Title VII of the Civil Rights Act of 1964, as amended, and by Title IX of the Education Amendments of 1972.

1. Sexual harassment involves unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical behaviors related to a person's gender, sexual identity, or sexuality when:
2. submission to such conduct is made either *explicitly or implicitly* a term or condition of an individual's academic advancement or employment;
3. submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual; or
4. such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or academic environment.

Items (1) and (2) above describe what is known as *quid pro quo* (this for that) harassment. This type of harassment involves promise of reward or threat of punishment, explicitly or implicitly, for sexual cooperation. In *quid pro quo* one incident is enough to constitute sexual harassment.

Item (3) above describes what is known as "hostile environment" harassment. Though this type of harassment is not always recognized, and often goes unreported and unpunished, it is nevertheless an offense under Federal and College guidelines. Generally, a pattern of behavior is required to create

a hostile environment, though such behavior may be so egregious that a single incident is enough to create such an environment.

**Sexual harassment contains these two elements:**

Sexual harassment is behavior that is unwanted and unwelcome.

Sexual harassment is behavior related to the gender, sexual identity, or sexuality of the person.

Sexual harassment is behavior that is unwanted and unwelcome by the recipient. Because sexual conduct only becomes unlawful when it is unwelcome, it is important to note that most courts have not considered the intent of the alleged harasser relevant in determining whether sexual harassment has occurred. Acquiescence is not evidence of consent. Acquiescence, especially to a person with authority to give or withdraw such things as employment or grades, or when the two individuals have unequal power, should not be considered evidence that the behavior is welcome. Sexual harassment often occurs in situations where one person is in a position of power or authority over another, but it can occur where there is no evident power differential. Both women and men can be harassed, and harassment can be same-sex harassment.

Gender harassment is sex-based behavior that is non-sexual in nature. Gender harassment does not involve sexual compliance but its effect is to dominate or degrade an individual or group of people. The Equal Employment Opportunity Commission guidelines recommend that the "totality of the circumstances" be considered in determining whether sexual harassment has occurred. Thus, the appropriateness or legitimacy of behavior or objects is largely determined by the context and purpose of their presence in a particular situation.

Harassment may be verbal, visual, or physical. Verbal harassment may include comments on one's appearance or body; questions about one's intimate relationships; graphic, obscene, degrading comments or jokes. Suggestive sounds, ridicule, written or oral invitations and advances that are inappropriate and unwelcome may be harassment. Visual conduct that can be harassing includes such actions as leering, staring at certain body parts, and displaying sexual objects, offensive posters or pictures. Physical harassment includes any unwelcome hugging or touching, and certainly pinching, fondling, or kissing. Forced sexual contact, the most extreme of which is rape, is clearly physical harassment.

***Illustrations of Sexual Harassment***

The following types of conduct and situational examples illustrate only some of the ways in which sexual harassment may occur in violation of College policy:

**Types of conduct such as:**

Physical assault;

Direct or subtle solicitation of sexual activity;

Direct or subtle solicitation of sexual activity or sex-related behavior coupled with a promise of reward or threat of punishment;

Unwelcome physical contact such as touching, or physical interference which limits participation in or benefit from work or academic performance;

Unwelcome remarks about a person's clothing or body;  
Explicit sexual questions, innuendoes, gestures, jokes, stories and anecdotes;  
Display or posting of sexually offensive posters, pictures, words, graffiti or messages;  
Introduction of sexually explicit materials into the classroom or workplace without an educational or work-related purpose.

## Employment of Relatives

The College permits the employment of qualified relatives of employees as long as such employment does not, in the opinion of the College, create actual or perceived conflicts of interest. For purposes of this policy, "relative" is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or "step" relation. The College will exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

Individuals who are related by blood or marriage are permitted to work in the same College department, provided no direct reporting or supervisory/management relationship exists. That is, no employee is permitted to work within the "chain of command" of a relative such that one relative's work responsibilities, salary, or career progress could be influenced by the other relative.

Employees working in the same department as of 9/30/2009 are "grandfathered" in for purposes of this policy. However, after this date, no relatives are permitted to work in the

same work group or in any other positions in which the College believes an inherent conflict of interest or other employment difficulties may exist.

Additionally, employees who marry while employed are treated in accordance with these guidelines (except for those “grandfathered” in prior to the date of this policy). That is, if, in the opinion of the College, a conflict or an apparent conflict arises as a result of the marriage, one of the employees will be transferred at the earliest practicable time.

*This policy applies to all categories of employment at the College, including full-time, temporary and part-time classifications*

## Outside Employment

It must be realized that full-time employment with the College is the employee's primary responsibility. Outside employment should be discussed with the immediate supervisor and fully disclosed to avoid any conflict of interest. Outside employment will not be considered an excuse for poor performance, absenteeism, tardiness, or refusal to work overtime. Should the outside employment cause or contribute to any of these situations, it must be discontinued. Under no circumstances should an employee conduct outside employment business during the normal College work hours. Finally, College –owned equipment and materials should never be used for any outside need under any circumstance, even if an offer is made to pay for the use of said equipment or materials.

## Conflict of Interest

### ***Policy***

Southwest Mississippi Community College requires that any employee who has, or whose relative has, a *substantial interest* in any contract, sale, lease, purchase, the provision of services or any other transaction by or with the College shall disclose said interest to the President of the College, who shall in turn notify the Executive Committee of the Board of Trustees. If such an interest exists, the employee shall refrain from participating in the decision, contract, sale, or purchase in any manner.

### **What is the purpose and general thrust of the Conflict of Interest Policy?**

The purpose of the College's Employee Conflict of Interest Policy (the “Policy”) is to remove or control the possibility of personal influence that might bear upon an individual's decision in his or her capacity

as an employee of Southwest Mississippi Community College.

### **Who are employees and relatives?**

Employees are all persons who are employed by Southwest Mississippi Community College on a full-time, part-time, or contract basis (including student employees). Relatives of employees are defined to include spouse, children, grandchildren, parents, grandparents, brothers, sisters (including half-brothers and half-sisters), brothers and sisters-in-law, parents-in-law, and children-in-law of the employee, a person living in a committed relationship with the employee, or any other person living in the same household as the employee. If any substantial interest is present in a relative, that interest will be considered to be that of the employee. (For example, an employee does have a conflict of interest if a brother or sister is being considered for employment at Southwest Mississippi Community College.)

### **What is a substantial interest?**

A **substantial interest** is any interest, which cannot be defined as a remote interest and which confers a financial or proprietary interest, either direct or indirect. A **remote interest** means:

1. That of a non-salaried officer of a nonprofit corporation.
2. That of a landlord or tenant of the contracting party.
3. That of an attorney of a contracting party.
4. That of a member of a nonprofit cooperative marketing association.
5. Ownership of less than five percent (5%) of the shares or equity of a corporation or other for profit business entity, provided the total annual income from dividends or other distributions, including dividends payable in stock, received from that corporation or business entity does not exceed five percent (5%) of the total annual income of the employee and further providing that any other payments from that corporation or business entity do not exceed five (5%) percent of the total annual income of the employee.
6. That of an employee in being reimbursed for expenses incurred in performing official duty.

### **What are the affirmative responsibilities of employees?**

Any employee of the College who has or whose relative has a substantial interest in a contract, sale, purchase or other transaction by or with the College shall make known that interest on the appropriate disclosure form provided by the College. The employee shall thereafter refrain from voting or participating in any manner the College's decision to enter into such contract, sale, purchase or transaction. The College's Purchasing Agent shall forward the completed disclosure form to the President and his/her Administrative Committee for determination of a conflict of interest. All instances reported will be forwarded to the Executive Committee of the Board of Trustees for review. It will be the responsibility of each employee to keep the disclosure current. Disclosure forms may be obtained from and shall be filed with the Vice President of Business Affairs who is also designated the College's Purchasing Agent.

### **What are the College's remedies in event of violation?**

Any contract or transaction entered into in violation of the Policy is voidable or subject to cancellation

at the sole option of the College. In addition, the College shall have all of the remedies available to it at law and in equity, including referral of such matters to the civil authorities for investigation and/or prosecution as appropriate.

### **What are the penalties in event of violation?**

Without limitation, an employee found to be in violation of the Policy is subject to institutional disciplinary action by the appropriate vice president, in consultation with the Administrative Committee of the College, up to and including termination from his or her employment.

## **Personnel Files**

The College maintains confidential personnel files on each employee in Human Resources. These \_\_\_ files contain documentation regarding various aspects of the employee's tenure with the College, such as performance appraisals, contracts or pay adjustment letters, any disciplinary actions taken, and letters of commendation. If you are interested in reviewing your file, contact the Office of Human Resources to schedule an appointment.

To ensure that your personnel file is up-to-date at all times, notify your supervisor **and** the Office of Human Resources of any changes in your name, telephone number, home address, marital status, number of dependents, beneficiary designations, professional or scholastic achievements, the individuals to notify in case of an emergency, and any other pertinent changes.

## **Substance Abuse**

Southwest Mississippi Community College has a vital interest in providing a workplace free from recognized hazards to staff and students. To maintain a safe environment for all, it is essential that you are not impaired in any way upon arrival at work or during the course of your scheduled work time. Employees are, therefore, prohibited from arriving for or being at work under the influence of alcohol or drugs. Failure to adhere to this policy will result in discipline up to and including immediate discharge from employment.

As required by the Federal Drug-Free and Communities Act Amendments of 1989, this will serve as notification to you by Southwest Mississippi Community College that the following constitute prohibited conduct on the Southwest Mississippi Community College premises or at College-sponsored activities:

1. unauthorized distribution, possession, or use of any alcohol, controlled substance or illegal drug, as defined by Mississippi Code of 1972, Revised Statutes;

2. providing alcoholic beverages to individuals under 21 years of age, or possession or use of alcoholic beverages by individuals under 21 years of age; or
3. unauthorized possession of an open container of an alcoholic beverage, public intoxication, or unauthorized distribution of alcoholic beverages for purposes of legal distribution.

In addition to imposition of disciplinary sanctions under College procedures, any employee of the College convicted of a criminal drug offense is required by law to notify the College within five days of the conviction.

The health risks associated with the misuse and abuse of mind-altering drugs, including controlled substances and alcohol, include but are not limited to the following: physical and psychological dependence; damage to the brain, pancreas, kidneys and lungs; high blood pressure, heart attacks and strokes; ulcers; birth defects; a diminished immune system; and death.

## **Drug and Alcohol Testing**

As part of the College's employment procedures, the College requires that all applicants undergo a pre-employment alcohol and drug screening. Any offer of employment that an applicant receives from the College is contingent upon, among other things, satisfactory completion of this screening.

As a condition of continued employment, employees may also be required to undergo periodic alcohol and drug screenings, if the employee is involved in an accident at work or while driving a College vehicle or at the discretion of the College. All College-required alcohol and drug screenings are paid for in full by the College.

Questions about alcohol and drug screenings should be directed to your supervisor or to the Office of Human Resources.

# Commercial Drivers Controlled Substance Use and Testing

## ***Applicability***

This policy applies to all employees required to maintain a Commercial Driver's License (CDL) in the performance of their duties at Southwest Mississippi Community College (the "College"). Employees covered by this policy include certain individuals employed to work as a bus [or van] driver to transport students.

## ***Purpose***

To provide a general policy statement to maintain compliance with the Federal Motor Carrier Safety Regulations regarding controlled substance and alcohol testing of CDL drivers.

## ***General Policy***

The College will comply with all Federal and State laws and statutes. CDL drivers employed by the College must comply with all applicable regulations and will be required to submit to controlled substance and alcohol testing. Testing will be conducted on a random basis as outlined in the Federal Motor Carrier Safety Regulations. Testing is also required following any accident that meets the criteria for post-accident testing or if the College has reasonable suspicion the driver has violated the prohibitions of the regulations involving drugs and alcohol. Pre-employment testing is required for controlled substances before a driver is allowed to operate a vehicle requiring a CDL.

## ***Enforcement and Accountability***

The Safety Committee will ensure that the College is in compliance with all CDL requirements and will report annually to the President of the College regarding the compliance of the testing program. The Human Resources Specialist and the Director of Campus Security will jointly supervise the procedural requirements necessary for compliance and will educate the staff about those requirements. In conjunction with a Medical Review Officer named by the Safety Committee, all drug and alcohol testing will be conducted as required. An employee's failure to comply with testing will constitute mandatory grounds for immediate discharge.

## ***Notifications***

The Office of Human Resources will formally advise each employee subject to the Federal Regulations about the requirements for compliance. Employees will receive written instructions regarding the following: how the testing will be conducted; by whom the testing will be done; and, how the results will be communicated to the employee and the supervisor. Any supervisor of a CDL driver will receive the necessary education as mandated by the Federal guidelines.

# Computer and Network Policy

Revised: 17 August 2007

## ***Summary/Purpose***

The purpose of the SMCC network is to provide faculty, staff, and students with an electronic means of transmitting, receiving, and reviewing information necessary for academic pursuits as well as conducting daily business operations of the college. The Acceptable Use Policy covers all devices that comprise the SMCC network. This includes, but is not limited to, all desktop systems, hand-held computers, lab facilities, servers, laptops, classroom technology, the wired and wireless campus networks, and all software licensed to the college.

## ***Rights and Responsibilities***

The SMCC network is provided and maintained by the SMCC ITS department for the use of faculty, staff, and students. Accounts are created and given to all users for the purpose of academics, transmitting and receiving electronic mail and messages, daily business and administrative operations, and other authorized activities. Anyone using the SMCC network is responsible for:

- recognizing and honoring the intellectual property rights of others, making attribution as appropriate;
- refraining from any illegal and improper intrusions into the accounts of others or into any SMCC network resources or systems;
- taking all reasonable steps to insure the accuracy and the security of information compiled, accessed, or provided;
- being ethical and respectful of the rights of others and of the diversity of the college community, including the rights to privacy and all other legal requirements and restrictions regarding access to and use of information; and refraining from acts that waste resources and prevent others from having broad access to SMCC IT resources;
- abiding by all other applicable college policies and standards relating to information technology resources. These policies and standards include, but are not limited to: software, wireless, remote access and email.

Users are responsible for all activities to and from their network accounts. Users must take every precaution to protect logins and passwords. Under no circumstances should a user allow someone else to share a network or e-mail account.

### ***Consent to Monitor***

SMCC's computers and networks are shared resources, for use by all faculty, staff, and students. Any activity that inhibits or interferes with the use of these resources by others is not permitted. The college will ensure reasonable use by monitoring access logs, traffic data, and network utilization. By logging on to and using network resources, the user agrees to the SMCC Acceptable Use policy and the SMCC Consent to Monitor section of said policy. **SMCC can examine, at any time, anything that is stored on or transmitted by college-owned equipment.** This includes, but is not limited to, e-mail, data files, software, websites, and stored documents. Users should not assume or expect any right of privacy with respect to the SMCC network resources. Although the college does not seek to monitor the communication of its faculty, staff, or students, SMCC ITS staff may access or examine files or accounts that are suspected of unauthorized use or misuse, that have been corrupted or damaged, or that may threaten the integrity of SMCC's computer systems. In addition, files, e-mail, access logs, and any other electronic records may be subject to search under court order.

### ***E-Mail Usage***

SMCC recognizes the utilization of electronic communications as an efficient and necessary method of conducting business and advancing its mission of education. Electronic mail (e-mail) should be used with the same care and discretion as any other type of official college communication.

The SMCC e-mail system is not a private secure communications medium. As such, e-mail users cannot expect privacy. By using the SMCC e-mail system, each user acknowledges:

The use of electronic mail is a privilege not a right. E-mail is for college communication, research, or campus business. Transmitting certain types of communications is expressly forbidden. This includes messages containing chain letters, pyramids, urban legends, and alarming hoaxes; vulgar, obscene or sexually explicit language; threatening or offensive content; derogatory, defamatory, sexual, or other harassment; and discriminatory communication of any kind. As with other information technology resources, the use of e-mail for commercial or political purposes is strictly prohibited.

Under the Electronic Communications Privacy Act, tampering with e-mail, interfering with the delivery of e-mail, and using e-mail for criminal purposes may be felony offenses, requiring disclosure of messages to law enforcement or third parties without notification.

E-mail messages should be transmitted only to those individuals who have a need to receive them. Distribution lists should be constructed and used carefully. E-mail distribution lists should be kept current and updated regularly. Inappropriate mass mailing is forbidden. This includes multiple mailings to newsgroups, mailing lists, or individuals – e.g. spamming.

All users of the SMCC e-mail system waive any right to privacy in e-mail messages and consent to the access and disclosure of e-mail messages by authorized college personnel. Accordingly, the college reserves the right to access and disclose the contents of e-mail messages on a need-to-know basis. Users should recognize that under some circumstances, as a result of investigations, subpoenas, or lawsuits, the college might be required by law to disclose the contents of e-mail communications.

#### **SMCC Confidentiality Agreement:**

*The information transmitted in this electronic mail is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers. Southwest MS Community College (SMCC) accepts no liability for the content of this message or for the consequences on any actions taken on the basis of information provided, unless the information is subsequently confirmed in writing by an authorized representative of SMCC. Although SMCC has taken reasonable precautions to ensure that no viruses are present in this message, SMCC cannot accept responsibility for any loss or damage arising from the use of this message.*

#### **Privacy**

SMCC provides computers, computer and e-mail accounts, networks and telephone systems to faculty members, staff and students for the purpose of furthering the college's academic mission and conducting business. While incidental and occasional personal use of such systems, including

e-mail and voice mail, is permissible, personal communications and files transmitted over or stored on SMCC systems are not treated differently from business communications; there can be no guarantee that personal communications will remain private or confidential.

Section 25-65-17 of the Mississippi Code states that "internal audit staff shall have access to all personnel and any records, data and other information of the university, community/junior college or state agency deemed necessary to carry out assigned duties."

Those responsible for maintaining SMCC's computers and electronic networks have a responsibility to recognize when they may be dealing with sensitive or private information. They may access such information without the user's consent when necessary to fulfill their official responsibilities. Properly authorized individuals including the Director of Information Technology and the SMCC ITS staff may access e-mail, voice mail or computer accounts without the consent of the assigned user when there is a reasonable basis to believe that such action:

is necessary to comply with legal requirements or process, or  
may yield information necessary for the investigation of a suspected violation of law or regulations, or of a suspected serious infraction of policy (for example alleged misconduct, plagiarism or harassment), or  
is needed to maintain the integrity of SMCC computing systems, or  
may yield information needed to deal with an emergency, or  
in the case of staff, will yield information that is needed for the ordinary business of the college to proceed.

These individuals will be subject to disciplinary action if they misuse their access to personally identifiable data or to individuals' personal files, e-mail and voice mail or otherwise knowingly act in ways counter to SMCC policies and applicable laws.

### ***Unacceptable Usage***

Some examples of violations of SMCC policy are given below. This is by no means a comprehensive list and other activities that are against SMCC policies are still considered violations of the Acceptable Use policy even if not specifically listed.

Logging on or attempting to log on with a username other than your own.

Logging on with your account and allowing others free usage of your computer while logged into the campus network.

The sharing of music, video, or other copyrighted materials via Peer-to-Peer networking software (Kazaa, Morpheus, Bearshare, Grokster, etc.).

Accessing any computing resource to which authorization has not been validly given.

Connecting a personal computer/laptop to the SMCC network without authorization from

the SMCC ITS department.

Performing any act which seriously impacts the operation of computers, peripheral devices, or the network, including tampering with the components of a local area network (LAN) or alterations of computer hardware which hampers the operational readiness of a computer.

Knowingly installing unauthorized programs including, but not limited to, chat clients, MUD, MUSH, sniffers, Spyware, toolbars, and any other malicious program.

Copying, installing or using any software or data files that violate a copyright or license agreement.

Deliberately changing the contents of any e-mail header or TCP/IP data packet header to conceal one's identity.

Sending, receiving, sharing or storing mail, files, messages, etc. that contain:

- a) profanity, obscenities, or other language of an inflammatory nature;
- b) information which infringes upon the rights of another person;
- c) information which may injure someone else and/or lead to criminal charges;
- d) information which consists of any advertisements for commercial enterprises;
- e) files or information covered under the Digital Millennium Copyright Act (DMCA) unless permission has been obtained from the owner(s).

Employing an internet browser (Internet Explorer, Firefox, Netscape, etc.) on a campus computer for the sole purpose of surfing the Internet in search of pornographic sites, illegal gambling sites, or other similar, questionable sites.

Using computing resources for commercial activities and/or personal gain, for example, running an internet business from a campus computer.

any attempt to circumvent user authentication methods, data protection schemes, network security lockdown procedures, uncover security loopholes, exploit software vulnerabilities, or any attempt to probe or scan a system or network without explicit permission from the SMCC ITS staff.

Performing any act which is wasteful of computing resources, including, but not limited to, mass mailing (SPAM), chain letters, e-mail hoaxes, creating unnecessary output (both electronic or hard copy), or preventing the pursuit of academic research by tying up computing resources with online games or other unnecessary network traffic.

Using computing and/or network resources to gain unauthorized access to remote computers; using computing and/or network resources to launch Denial of Service attacks, broadcast attacks, mail-bombing, packet-flooding or overloading any system located on or off the premises.

Using computing resources to harass others by sending annoying, threatening, libelous, or sexually, racially, or religiously offensive messages.

Using computing resources to monitor another user's data communications, or reading,

copying, or deleting another user's files or software without permission of the owner.

Using computer resources to develop, perform, and/or perpetuate any unlawful act or to improperly disclose confidential information.

### ***File Sharing and Copyright Infringement***

Federal copyright law applies to all forms of information, including electronic communications. Members of the SMCC community should be aware that copyright infringement includes the unauthorized copying, displaying, and/or distributing of copyrighted material. All such works, including those available electronically, should be considered protected by copyright law unless specifically stated otherwise.

SMCC complies with all provisions of the Digital Millennium Copyright Act (DMCA). Any use of the SMCC network, e-mail system, or web site to transfer copyrighted material including, but not limited to, software, text, images, audio, and video is strictly prohibited. Therefore, the use of popular file sharing programs such as KaZaA, Morpheus, iMesh, etc. are a violation of SMCC policy and federal law.

Anyone using SMCC network resources to commit acts of copyright infringement may be subject to prosecution. Acts of piracy are violations of state and federal laws, and as such, may result in criminal charges.

### ***Private Computers Connected to the SMCC Network***

The following apply to anyone connecting a private computer to the SMCC network, wireless LAN connection, or a regular network connection in an office or residence hall:

The owner of the computer is responsible for the behavior of all users on the computer, and all network traffic to and from the computer, whether or not the owner knowingly generates the traffic.

A private computer connected to the network may not be used to provide network access for anyone who is not authorized to use the college systems. The private computer may not be used as a router or bridge between the SMCC network and external networks, such as those of an Internet Service Provider.

Should the SMCC ITS staff have any reason to believe that a private computer connected to the SMCC network is using the resources inappropriately, network traffic to and from that computer will be monitored. If justified, the system will be disconnected from the network, and appropriate action will be taken.

Any residential student, with an authorized network account, may use the SMCC network connection for scholarly purposes, for official college business, and for personal use, so long as the usage:

- does not violate any law or this policy,

- o does not involve extraordinarily high utilization of college resources or substantially interfere with the performance of the SMCC network, and,
- o does not result in commercial gain or profit.

Due to the possibility of a breach in the college's computer network security, students are not permitted to connect a computer to the SMCC network and an external Internet Service Provider **AT THE SAME TIME**. Students who prefer to use an external ISP must notify SMCC ITS prior to connecting to the external ISP network.

Users are responsible for the security and integrity of their systems. In cases where a computer is "hacked into," it is recommended that the system be either shut down or be removed from the campus network as soon as possible to localize any potential damage and to stop the attack from spreading. If you suspect electronic intrusion or hacking of your system and would like assistance, contact the SMCC ITS department immediately. The following types of servers should never be connected to the SMCC network: DNS, DHCP, BOOTP, WINS, or any other server that manages network addresses.

## ***Penalties***

If you are suspected of violating this Policy, SMCC may confiscate any equipment, device, software, documents, or data that is involved. A search warrant will be obtained before impounding items not owned by SMCC.

If you have violated the Policy, you will incur the same types of disciplinary measures as violations of other SMCC policies. Violation of state or federal free/statutes may lead to criminal or civil prosecution.

**Students:** Campus disciplinary measures may include, but are not limited to, failure in a class, permanent or temporary loss of information technology privileges, suspension or expulsion from SMCC, and restitution of expenses as well as charges for damages.

**Faculty and Staff:** Campus disciplinary measures may include, but are not limited to, reassignment of duties, transfer, censure, suspension, termination, and restitution of expenses as well as charges for damages.

**Off-campus Users:** The college may revoke the privileges of users who are found to be in violation and may report any serious violation to the user's home campus authorities and to appropriate law enforcement officials.

## ***Mississippi Laws that Apply to Use of Computing and Networking Systems and to Publicly Accessible Web Pages***

The following are examples of violations of the laws of the State of Mississippi (Mississippi Code of 1972 - <http://www.mscode.com/free/statutes/97/045/0011.htm>):

Public display of sexually oriented materials in a venue likely to be visited by minors in the normal course of business. (Reference: <http://www.mscode.com/free/statutes/97/005/0029.htm>)

Intentional deceit of anyone as to your true identity for the purpose of obtaining anything of value. You should not use another person's e-mail account at all, but to do so for personal gain is illegal. (Reference: <http://www.mscode.com/free/statutes/97/019/0085.htm>)

Profane or indecent language in a public place. A web page residing on a college server is

public place. (Reference: <http://www.mscode.com/free/statutes/97/029/0047.htm>)

Publishing or exhibiting obscene materials. (Reference: <http://www.mscode.com/free/statutes/97/029/0101.htm>)

Hacking or passing along hacker information concerning a computer, computer system, or network to another person. Obtaining services to which you are not entitled and either inserting or changing system files are all illegal. (Reference: <http://www.mscode.com/free/statutes/97/045/0003.htm>)

Blocking another user from using a system he/she is entitled to use. (Reference: <http://www.mscode.com/free/statutes/97/045/0005.htm>)

Using or sharing the results of cracking a password file. This may result in up to five years in jail and a fine of up to \$10,000. (Reference: <http://www.mscode.com/free/statutes/97/045/0005.htm>)

Intentional modification or destruction of computer equipment or supplies. (Reference: <http://www.mscode.com/free/statutes/97/045/0007.htm>)

Erasing, modifying, sharing, or using the information in the files of another user.

All of the activities outlined in the Mississippi Code are unlawful if the user was physically in Mississippi when the act was committed, was committing the act against a computer or system in Mississippi, or used a computer or network in Mississippi as a relay point. (Reference : <http://www.mscode.com/free/statutes/97/045/0011.htm>)

### ***Indemnification/Liability Statement***

Southwest Mississippi Community College makes absolutely no warranties of any kind, either express or implied, for the IT services it provides. The college will not be responsible for any damages suffered by users including, but not limited to, any loss of data resulting from delays, non-deliveries, user errors, or service interruptions.

The college is not responsible for the accuracy or quality of information obtained through its IT services, including e-mail. Users assume responsibility for any damages suffered as a result of information obtained through these sources.

The user agrees to indemnify and hold harmless Southwest Mississippi Community College, the Board of Trustees, and college faculty, staff, and employees from and against any claim, lawsuit, cause of action, damage judgment, loss, expense, or liability resulting from any claim, including reasonable attorneys' fees, arising out of or related to the use of the college's hardware, software, and network facilities. This indemnity shall include, without limitation, those claims based on trademark or service mark infringement, copyright infringement, defamation, unlawful discrimination or harassment, rights of publicity, and invasion of privacy.

There is one official Southwest Mississippi Community College web site <http://www.smcc.edu/> containing information about Southwest Mississippi Community College with links to departments' and organizations' resources. Allocations of space for Internet resources (web sites, FTP servers, etc.) may be obtained by application to the Director of Information Technology.

### ***Freedom of Expression & Misconduct***

Freedom of Expression and an open environment in which to pursue scholarly inquiry and share

information are encouraged, supported and protected at Southwest Mississippi Community College. Censorship is not compatible with the goals of the College. While the College rejects censorship, behavior that constitutes misconduct as defined in this policy will not be protected. It must be remembered that "misconduct" within the framework of the College's Information Technology Resources may also constitute a violation of general college regulations and of state or federal law.

## ***User Privacy***

*Unauthorized* users are obviously not entitled to privacy within the framework of the College's Information Technology Resources, but even among authorized users, any violation of this Computer and Network Policy may also suspend the right of privacy. In such instances, the Director of Information Technology, without notice, access or disable such User accounts or files. Users should also be aware that User accounts, files and information may be disclosed upon subpoena or order of a court of competent jurisdiction.

However, all authorized users are entitled to privacy in all their authorized use of the College's Information Technology Resources. Each User identity, log-in name, account name, or any other User ID and associated password belongs to an individual, office or department. No one should use a User identity, log-in name, any user ID, or account name and password without permission from the owner. No one should use aliases, nicknames, or other electronic means to attempt to impersonate, redirect or confuse those who use the network. No one should use aliases, nicknames, pointers, or other electronic means to capture information intended for others without the explicit permission of the intended recipient. Each User should accept responsibility for the appropriate use and dissemination of his or her user identity, log-in name, user ID, and account name and password.

**Information Systems personnel have access to files belonging to Users, but this access may be used only when it is essential for the maintenance of a system or the network itself.**

# **Travel Expense Reimbursement Policy**

## ***Policy***

---

Each traveler will be reimbursed for all necessary and reasonable expenses incurred in connection with approved travel on Southwest Mississippi Community College business, subject to the limitations set forth in this statement of the Travel Expense Reimbursement Policy. All reimbursable travel must be authorized and approved by the individual having budgetary responsibility for the department or budgetary unit against which travel will be charged. Each request for reimbursement will be made by completing the Southwest Mississippi Community College Travel Expense Report.

Travel advances are an accommodation for the purpose of defraying expenses inherent to travel for group travel or out-of-state travel only and accordingly should be kept to a minimum. A travel advance may be requested upon authorization of the individual responsible for the department or budgetary unit. Requests for travel advances must be made on the Travel Advance Form and submitted to the Business Office at least two business days prior to the departure date for a check advance. Include a detailed explanation for requesting the advance. The Travel Advance Form

must be authorized and approved by the individual responsible for the budgetary unit. Upon return to Southwest Mississippi Community College, return promptly any remaining cash advance monies to the Cashier along with the Southwest Mississippi Community College Travel Expense Report.

### ***Accommodations, Taxes, Modes of Travel***

Travelers should use standard accommodations for travel, hotels or motels, rental automobiles and restaurants. It is anticipated that travelers will utilize special educational discount rates whenever possible to minimize the dollar expenditures for travel.

Tax exempt certificates are accepted at many hotels and are available from the Southwest Mississippi Community College Purchasing Department. Southwest Mississippi Community College is recognized as a tax-exempt institution - contact the Purchasing Department for more information. Southwest Mississippi Community College is not exempt from such taxes as tourism and city taxes.

Information provided for "Purpose" and "Explanation" on the Southwest Mississippi Community College Travel Expense Form must be detailed, and in cases where expenses (e.g., meals) are for more than one person, any guest(s) must be identified.

The most economical and practical means of available public transportation will be used at all times (e.g., coach class airfare).

Occasionally, personal automobiles must be utilized for travel. When a personal automobile is used, the current mileage rate applies. This rate may be obtained from the Business Office of Financial Affairs and covers the cost of gasoline, oil, maintenance, depreciation and insurance; however, toll and/or parking charges will be separately reimbursed provided a receipt is presented with the reimbursement request. Actual odometer miles are to be used to determine mileage. Personal side trips (while traveling on Southwest Mississippi Community College business) will not be reimbursed and are not to be included in mileage reimbursement.

When an employee travels on official business for Southwest Mississippi Community College and is reimbursed according to these travel regulations, the mileage allowance indemnifies Southwest Mississippi Community College from any liability occasioned by the use of the car by the traveler.

### ***Reimbursements, Valid Expenses, Travel Expense Report***

Upon completion of the travel, the Travel Expense Report must be submitted within 10 business days to the Business Office for settlement. The Travel Expense Report must be approved by the individual having budgetary responsibility for the department or budgetary unit against which the travel will be charged and will also be reviewed by the Business Office.

Original receipts for any expense incurred must be attached to the Travel Expense Report.

Hotel and motel accommodations will be reimbursed for the employee at the single rate, less any

expense for movies or other personal items. Expenses for spouse, dependent and/or companion traveling with the employee will not be reimbursed and are the personal responsibility of the employee.

Meals will be reimbursed for the employee (including a 18% gratuity) at the approved rate. Alcoholic beverages will not be reimbursed. The College reserves the right to judge reasonableness of meal costs based on the area traveled and other guidelines. **Detailed meal receipts (not credit card receipts) are to be submitted with expense reports.**

For any meal or other event that includes expenses for others in addition to the traveler, include descriptions of others and a valid reason for the meal or event. In addition, include a detailed explanation for any unusual expenses and for any expenses not specifically itemized on the Travel Expense Report.

Reasonable miscellaneous incidental expenses incurred by employees that are attributable to the trip will be reimbursed. Examples include, but are not limited to, the following:

Permitted	Not Permitted
Phone calls for official SMCC business	Personal phone calls
Taxi fares	Movies
Baggage fares	Alcoholic beverages
Gratuities	Personal entertainment expenses
Toll and parking charges	Expenses relating to personal side trips

## Replication of Copyrighted Materials

Most books, journals, magazines, and other printed materials are copyrighted, and cannot be legally reproduced without prior permission of the copyright owner. Even when the materials are to be used for educational purposes and not for resale, definite restrictions apply. Most of these are to be found on a document posted close to photocopying machines in the Ford Library and elsewhere on the College campus. Inquiries about the law and fair usage in such matters should be directed to the Library Director. For materials to be photocopied or otherwise reproduced using College-owned equipment, the following policy is followed.

No copyrighted material may be reproduced unless the person making the request has in hand written permission of the copyright holder. A copy of that permission must be filed with the Library Director. The reproducer must enter the statement "Reproduced with permission of the copyright owner" on the article. No copies of reproduced material may be sold unless the copyright owner has specifically given such permission.

---

# Intellectual Property Rights Policy

## *Introduction*

Southwest Mississippi Community College is committed to providing an environment that supports the learning, teaching, scholarship, and creative activity of its faculty, students, and staff. Within this context, the Intellectual Property Rights Policy is intended to:

- encourage excellence and innovation in teaching, scholarship, and creative activities by identifying and protecting the intellectual property rights of faculty, staff, students and the College;

- encourage the notion that creative and scholarly works produced at Southwest Mississippi Community College should advance the state of knowledge and contribute to the public good.

- acknowledge and preserve the traditional property rights of scholars with respect to products of their intellectual endeavors (e.g., books, articles, manuscripts, plays, writings, musical scores, and works of art): and,

- guide policy and process for commercial uses of intellectual property other than the

traditional products of scholarly work.

This Policy covers all types of intellectual property, including, in particular, works protected by copyright, patent and trade secret laws.

## ***Policy***

Southwest Mississippi Community College maintains rights to intellectual property created at college expense. The college reserves rights of ownership of all intellectual property including, but not limited to, curricular materials, books, web pages, electronic publications, and programs written or otherwise created by a student, instructor, or staff member while using college materials or equipment and while working during time that is compensated by the college. All classes of intellectual property, scientific and technological developments, materials or objects created or produced by a faculty or staff member on personal time without the assistance of SMCC personnel, equipment, materials, or facilities, shall be the exclusive property of the individual. If college resources are used during personal time to create intellectual property, the creator should consult the Vice-President of Academic Affairs to determine a reasonable compensation for the use of college resources.

It is the responsibility of the creator of any form of intellectual property to ensure that copyrights held by other entities are not infringed and that appropriate permission has been obtained for the use of copyrighted material by adhering to the copyright law of the United States (Title 17, United States Code). Creators of intellectual works that are not partially owned by the college own the copyrights of their works and are free to register the copyright and receive any revenues which may result.

## **Release of Information to the Public Media**

The President of the College and the Director of Public Relations serve as the College's principal — contacts with the print and electronic media. All employees approached by a media representative regarding any matter of College business are encouraged to refer such inquiries to either of these individuals. The Director of Public Relations also welcomes information about professional activities, student accomplishments, innovative courses or teaching strategies, special events, or other developments of potential interest to the media. Having such information on a timely basis helps in bringing such important matters to public attention.

## Section 3 – Employee Compensation Policies

# Classifications of Employment

As a general matter, the classification of a position will dictate the eligibility of the employee who holds that position for benefits purposes and the anticipated duration of the position.

## ***Full-Time Regular***

Full-time regular employees are hired to work the College's normal, full-time 40 hour work week on a regular basis. Such employees may be exempt or nonexempt as defined below. Full-time regular employees are eligible for time off benefits and insurance benefits, as described in this Handbook. Employees may be hired to work full time but for on a limited term basis, i.e., not a renewable employment appointment.

## ***Part-Time Regular***

Part-time regular employees are hired to work between 20 and 39 hours per week on a regular basis. Such employees may be exempt or nonexempt as defined below. Part-time regular employees are **not** eligible for leave (time off) benefits. Employees work more than 20 hours per week on a consistent basis are eligible for those other benefits provided full-time employees: viz: health and life insurance, participation in PERS, and may purchase health and other insurances similar to those offered to a Full-time regular employee. Employees working less than 20 hours on a consistent basis are not eligible for benefits.

## ***Temporary***

Temporary employees are those hired to complete a specific project or hired for a limited period of time (no more than 4 and ½ months in accordance with PERS policy) with the understanding that this employment will be terminated upon completion of the assignment or at the end of the specified period of time. Temporary employees are not eligible to participate in the benefits or leave program of the College. A temporary employee may be offered and may accept a new temporary assignment and still retain temporary status. Additionally, all employees hired for less than 20 hours of work per week are considered temporary regardless of the duration of their employment.

## ***Exempt***

An exempt employee is not required to be paid overtime under applicable laws for work in excess of forty hours per week. Such employees typically serve in executive, administrative, professional or certain types of computer services positions. Exempt employees are expected to work a sufficient number of hours to complete the assigned work tasks and cover related evening or weekend duties as needed or required. Exempt employees are generally paid on a monthly basis.

## ***Non-Exempt***

A non-exempt employee is required to be paid overtime under applicable federal and state wage and hour laws. Non-exempt employees are paid one and one-half times their regular rate for **actual hours**

**of work** in excess of forty hours per week or hours worked on the seventh consecutive day of any workweek (Monday through Sunday), provided 40 actual hours of work precedes hours worked on the seventh day. Non-exempt employees are paid on a biweekly basis.

You will be informed of your initial employment classification and of your status as an exempt or non-exempt employee during your orientation session. If you change positions during your employment as a result of a promotion, transfer, or otherwise, you will be informed by the Office of Human Resources of any change in your exemption status.

Please direct any questions regarding your employment classification or exemption status to the Office of Human Resources.

# Work Hours

## ***Regular workweek***

Most College departments work during normal business hours, Monday through Friday; however, some departments such as Security, Physical Plant and Student Services must work different schedules in order to provide continuous service to the College campus and the community.

## ***Regular work day***

Normal working hours are 8:00 a.m. to 4:30 p.m. One-half hour without pay is allotted for lunch. An employee may take two paid **separate** breaks, not to exceed fifteen minutes, one in the morning and one in the afternoon. (Breaks cannot be combined.) If an employee chooses not to take a break, this time does not accrue and may not be used at a later time or date. Breaks and lunch hours must be scheduled to ensure all departments are able to continue business or receive calls during all normal business hours.

## ***Alterations in Schedules***

Daily and weekly work schedules may be changed from time to time to meet the College's varying needs.

## ***Overtime***

Overtime will be necessary on occasion for non-exempt employees, but must always have the prior approval of your department manager or supervisor. Any unauthorized overtime will be paid; however, an employee may be subject to disciplinary action for working the unauthorized time. For overtime work, non-exempt hourly employees receive one and one-half times their regular hourly rate for (1) each hour of work in excess of 40 hours worked in a given work week or (2) each hour of work on the seventh consecutive workday within any week unless (a) the employee did not work more than forty (40) hours during the work week. For this purpose, the workweek is deemed to begin at 12:01 a.m. Monday morning and conclude at 12:00 P.M., on the following Sunday. Exempt employees are required to work as necessary to meet expected levels of performance.

# Recording Work Hours

It is the College's policy to comply with applicable laws requiring records to be maintained of the hours our employees work. To ensure that the College keeps accurate records of the hours you actually work (including overtime hours where applicable) and of the sick time or other leave taken during the pay period, and to ensure that you are paid in a timely manner, all nonexempt employees are required to accurately record their time worked and their absences by clocking in or out and completing the College's official monthly leave form. This form must also be completed and signed by you as an accurate statement of the hours you have worked and the benefit hours requested and approved. Your supervisor will sign the form and forward it to the Payroll Office for processing.

Exempt staff members are expected to record their time away from work appropriately and to submit their timesheets to the appropriate director or vice president immediately following the end of each month. Any vacation, sick leave or holiday time taken during the month should be accurately recorded on the Monthly Leave Form and supported by Request for Leave Forms and submitted following the end of the month as well.

You must be certain that you accurately record your hours worked and leave time taken. Falsification of a time record is a serious breach of policy and grounds for disciplinary action, up to and including termination of employment.

# Regular Pay Procedures

## ***Frequency***

All non-exempt College employees are normally paid every two weeks, on alternate Thursdays. All exempt College employees are paid once a month on the last working Friday of the month. If a scheduled payday falls on a holiday, employees will usually be paid on the work day preceding the holiday.

## ***Deductions***

All required deductions, such as those for federal, state and local taxes, and all authorized voluntary deductions, such as for health insurance contributions, SMCC Foundation contributions, etc., shall be withheld automatically from employees' paychecks. Employees shall complete the necessary forms to authorize these deductions.

It is your responsibility to review your paycheck for errors. If you find a mistake, you should report it to your **supervisor** immediately. Your supervisor will assist you in taking the necessary steps to correct the problem.

## ***Timesheets and Leave Reports***

Timesheets or cards are required of all non-exempt employees and must be signed by both the employee and the supervisor. Non-exempt staff timesheets or cards are submitted and approved by the supervisors on a biweekly basis and must be sent to the College's Payroll Office by 10:00 A.M. on the Monday following the conclusion of the two-week pay period. Exempt staff must submit monthly leave reports supported by request for leave forms approved by their supervisor. The leave report must be sent to the Office of Human Resources Office by the 10th day of the next month.

## ***Direct Deposit***

All newly hired employees must have their paychecks deposited by the College directly to a checking or savings account at the financial institution of their choosing. These payroll funds are available as of 8 A.M. on the official date of each payroll. Employees must complete a direct deposit authorization that may be obtained from the Human Resources Office. Employees hired before August 1, 2008 are not required to use the direct deposit method but are encouraged to discuss the advantages of doing so with the Vice President of Business Affairs.

When an employee begins direct deposit, the first check will be a paper check. All subsequent payrolls will be check-less and a statement of the direct deposit will be provided to the employee detailing all tax and deduction information as well as the manner in which all hours are paid.

# Overtime Pay Procedures

## ***Exempt Employees***

Exempt employees do not receive overtime pay.

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

Non-exempt employees **may not** work in excess of 40 hours per week without approval from their immediate supervisor and cannot be provided compensatory time off as a means to offset the overtime. For overtime work, non-exempt hourly employees receive one and one-half times their regular hourly rate for (1) each hour of work in excess of 40 hours worked in a given work week or (2) each hour of work on the seventh consecutive workday within any week unless (a) the employee did not work more than forty (40) hours during the work week. For this purpose, the workweek is deemed to begin at 12:01 a.m. Monday morning and conclude at 12:00 P.M., on the following Sunday. An employee who is required to work overtime early in a given week, may be asked to adjust their work schedule on subsequent days to avoid the necessity of paying overtime.

# Approved Position Descriptions

An approved, written position description shall exist for each staff position in the College. In general, the description covers the purpose of the job, the work to be done, the supervision of the work, the qualifications required, and, where appropriate, working conditions affecting the job. The hiring supervisor and the Human Resources staff will collaboratively maintain accurate position descriptions. Applicants for employment should be asked to read the position description of the position for which they are applying; incumbent employees should be asked to review and sign the Position Description for their positions, acknowledging that review. (A copy of the signed Position Description must be sent to Human Resources for appropriate filing in the employee's personnel file.) All position descriptions will be reviewed periodically to assure that they reflect current responsibilities. The Vice President of Instruction has responsibility for all faculty position descriptions. Employees' performance shall be reviewed in relation to the written position descriptions.

Position vacancies cannot be advertised or posted on the College's website until a current position description has been reviewed and/or revised and authorized by the supervising director or vice president and submitted to the Office of Human Resources.

## Salary Adjustments

Salaries are reviewed annually. However, pay increases are not guaranteed to anyone at any time. Factors to be considered in granting pay increases include, but are not limited to, the financial condition of the College and the performance, qualifications and experience of the employee under consideration for a pay increase. All employees are expected to perform their duties within the framework of meeting or exceeding the Workplace Expectations established by the College and various employee committees.

## Severance Pay

The College does not provide its employees with severance pay upon their voluntary or involuntary separation from employment nor does it pay for accrued unused leave – whether personal leave or sick leave. At separation, any accrued unused leave is reported to the Mississippi Public Employees Retirement System and is credited to the employee's length of service record.

# Section 4 – Employee Benefits

# Leave Policy

## ***Introduction***

The leave policy, as approved by the Board of Trustees, provides for personal and sick leave for all full-time employees.

A standard form as supplied by the Human Resources Office will be used by the employee on a monthly basis to account for leave taken. This employee leave record will be submitted to the employee's immediate supervisor on the first working day of the following month. Upon approval by the supervisor, the business office will record leave time accrued and taken. If the leave form is not submitted to the business office by the 15<sup>th</sup> of the next month, the employee will not accrue leave for that month. Leave totals are available to all employees through the online campus information center. Any discrepancies should be addressed and resolved immediately.

All leave shall be charged and recorded to the nearest hour. Minimum requirements for approval/authorization for leave are described below. A person who has been terminated and is later re-employed will begin a new period of employment for leave purposes.

Each division chair, immediate supervisor, the Dean of **Instruction**, or the President is authorized to prescribe additional notification procedures beyond the scope of this policy.

## ***Twelve-month employees***

### **Personal leave**

Personal leave may be used for vacations and personal business.

Full-time employees who are guaranteed forty (40) hours per week for at least fifty (50) weeks during a fiscal year are allowed credit for ten (10) personal leave days per year computed at the rate of .8333 days per month (6.67 hours). The leave is not available until it has been earned. Leave must be in hourly increments. Less than twelve-month employees, part-time employees, or those employees who are not guaranteed forty hours per week for at least fifty weeks per year do not receive credit for personal leave.

#### **All personal leave must be approved in advance.**

Employees are required to submit a Request for Leave form (see Appendix II) to their immediate supervisor for approval. Approved leave forms will be forwarded by the supervisor to the business office for review and comparison to the monthly leave record submitted by the employee.

Generally, the employee's wishes will be respected regarding the use of personal leave; however, the welfare of the college must be protected. The immediate supervisor, division chair, or the President may deny the request for leave if it is determined that the best interest of the college is not served by the employee's absence.

There is no limit to the accumulation of earned personal leave. **Upon termination of employment, no payment will be made for any accumulation of personal leave.** Instead, all unused leave will be counted as creditable service for retirement purposes. A person who has

been terminated and is later re-employed will begin a new period of employment for leave purposes.

## **Sick leave**

Sick leave will be used only for illness, injuries due to accidents, medical or dental appointments, or visits to a hospital or clinic for continuing treatment of a chronic disease of the employee or a member of the employee's immediate family - spouse, children, and parents (including parents-in-law).

Credit for twelve (12) days of sick leave will be allowed for each fiscal year and will be earned at the rate of one day (8 hours) per month. The leave is not available for use until it has been earned. Leave may be taken in hourly increments only.

### **All sick leave must be approved.**

Employees are required to submit a Request for Leave (see Appendix II) form to their immediate supervisor for approval at least one week in advance for any leave involving scheduled doctor/dental office, hospital, or clinic visits. In the case of a brief illness, the employee is required to notify his/her immediate supervisor no later than 9:00 A.M. on the day of the illness, unless an emergency situation prevents notification. Also, a Request for Leave form shall be submitted to the immediate supervisor with 24 hours of returning to work. If an employee is absent from work more than two consecutive days for an illness, written certification by a medical doctor must be submitted attesting to the duration of the symptoms requiring the employee's extended absence.

There is no limit for the accumulation of sick leave. **Upon termination of employment, no payment will be made for any accumulation of sick leave.** Instead, unused sick leave shall be counted as creditable service for retirement purposes. Sick leave earned and accumulated while employed at Southwest Mississippi Community College **can** be transferred to another system. A person who has been terminated and is later re-employed will begin a new period of employment for sick leave purposes.

## ***Nine-month, ten-month, and eleven-month employees***

## **Personal leave**

Personal leave may be used for personal business.

Full-time faculty are allowed credit for three (3) personal leave days per year computed at the rate of .333 days per month (2.67 hours). The leave is not available until it has been earned. Leave must be in hourly increments.

**All personal leave must be approved in advance.** Employees are required to submit a Request for Leave form (see Appendix II) to their immediate supervisor for approval. Approved leave forms will be forwarded by the supervisor to the business office for review and comparison to the monthly leave record submitted by the employee. Generally, the employee's wishes will be respected regarding the use of personal leave; however, the welfare of the college must be protected. The immediate supervisor, division chair, or the President may deny the request for leave if it is determined that the best interest of the college is not served by the employee's absence.

There is no limit to the accumulation of earned personal leave. **Upon termination of employment, no payment will be made for any accumulation of personal leave.** Instead, all unused leave will be counted as creditable service for retirement purposes. A person who has been terminated and is later re-employed will begin a new period of employment for leave purposes.

## Sick leave

Sick leave will be used only for illness, injuries due to accidents, medical or dental appointments, or visits to a hospital or clinic for continuing treatment of a chronic disease of the employee or a member of the employee's immediate family - spouse, children, and parents (including parents-in-law).

Sick leave will be earned at the rate of one day (8 hours) per month and is pro-rated based on months of employment. Nine-month employees earn nine days per academic year and ten-month employees earn ten days. If contracted faculty teaches summer sessions, additional sick leave is earned for each month up to the maximum 12 days allowed. The leave is not available for use until it has been earned. Leave may be taken in hourly increments only.

**All sick leave must be approved.** Employees are required to submit a Request for Leave form (see Appendix II) to the appropriate chair, immediate supervisor, or to the Dean of Instruction for approval at least one week in advance for any leave involving scheduled doctor/dental office, hospital, or clinic visits. In the case of a brief illness, the employee is required to notify his/her immediate supervisor no later than 9:00 A.M. on the day of the illness, unless an emergency situation prevents notification. Also, a Request for Leave form shall be submitted to the division chair, immediate supervisor, or the Dean of Instruction within 24 hours of returning to work. If an employee is absent from work more than two consecutive days for an illness, written certification by a medical doctor must be submitted attesting to the duration of the symptoms requiring the employee's extended absence.

There is no limit for the accumulation of sick leave. **Upon termination of employment, no payment will be made for any accumulation of sick leave.** Instead, unused sick leave shall be counted as creditable service for retirement purposes. Sick leave earned and accumulated while employed at Southwest Mississippi Community College **can** be transferred to another system. A person who has been terminated and is later re-employed will begin a new period of employment for leave purposes.

## Holidays

The college grants the following holidays to employees with contracts for less than twelve months:

- New Year's Day---January 1
- Good Friday---As published in the *Catalog*
- Independence Day---July 4th
- Labor Day---First Monday of September
- Thanksgiving Day---As published in the *Catalog*
- Christmas Day---December 25 and extended holidays as authorized by the President
- Martin Luther King's Birthday---3rd Monday of January

## *Additional Leave Policies*

### Military Leave

Military leave with pay, limited by state statute to fifteen days, will not affect vacation time for twelve-month personnel.

### Jury Duty

The college recognizes jury duty as a civic responsibility; therefore, employees, when summoned, will be allowed time off with pay.

### *Bereavement*

Employees may use up to a maximum of three **sick leave** days for bereavement. Additional personal leave, if authorized, may be used.

## **Transfer of Accrued Leave to and from Other State School or State Agency**

In accordance with Section 25-3-97, Mississippi Code of 1972, the college recognizes that all accrued leave, both major medical and personal leave, earned by employees **shall** be transferrable between or among any and all state agencies, junior colleges, and senior colleges. Each appointing authority shall be furnished a statement of accrued leave at the time of transfer by an employee. The college will also recognize accrued leave transferred from other entities as described above.

### ***Donation of Available Leave to Fellow Employee***

Also in accordance with Section 25-3-97, Mississippi Code of 1972, employees **may** donate unused, accrued leave to fellow SMCC employees who have suffered a catastrophic injury or illness in accordance with the following as described in Section 25-3-95:

- a) The employee donating the leave (the "donor employee") shall designate the employee who is to receive the leave (the "recipient employee") and the amount of earned personal leave and major medical leave that is to be donated.
- b) The maximum amount of earned personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of personal leave left, and the maximum amount of earned major medical leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the earned major medical leave of the donor employee. All donated leave shall be in increments of not less than twenty-four (24) hours.
- c) An employee must have exhausted all of his or her earned personal leave and major medical leave before he or she will be eligible to receive any leave donated by another employee.
- d) Before an employee may receive donated leave, he or she must provide his or her appointing authority or supervisor with a physician's statement that states the beginning date of the catastrophic injury or illness, a description of the injury or illness, and a prognosis for recovery and the anticipated date that the recipient employee will be able to return to work.
- e) The maximum period of time that an employee may use donated leave without resuming work at his or her place of employment is ninety (90) days, which commences on the first day that the recipient employee uses donated leave.
- f) If the total amount of leave that is donated to any employee is not used by the recipient employee, the donated leave shall be returned to the donor employees.
- g) For the purposes of this policy, "immediate family" means spouse, parent, stepparent, sibling, child or stepchild.

# Family Medical Leave

Any employee who anticipates being absent or is absent for more than three days due to their own health condition or the condition of an immediate family member must contact the Human Resources office for a determination of eligibility for Family Medical Leave. This federal legislation offers benefits and protection to employees in certain situations. If eligible, an employee is required to use sick and/or annual leave concurrent with Family Medical Leave. Paid leave must begin on the first day of Family Medical Leave and be used consecutively until exhausted. No additional sick or vacation days will accrue during the FMLA period whether it is paid or unpaid.

Family Medical Leave used in conjunction with a Workmen's Compensation claim allows the employee to elect to use benefit (sick or annual) time. See Workmen's Compensation in this section.

## ***Policy***

Pursuant to the Family and Medical Leave Act of 1993 ("FMLA"), employees who have worked for the College for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months may take up to twelve (12) weeks of unpaid leave ("FMLA" leave) for any of the following four reasons:

1. Birth of a child of the employee and in order to care for the newborn child;
2. Placement of a child into the employee's family by adoption or by a foster care arrangement;
3. Care of the employee's spouse, child or parent who has a serious health condition; or
4. Inability of the employee to perform the functions of the employee's position due to a serious health condition.

Any FMLA leave taken by an employee during the preceding twelve (12) month period will be used to determine the amount of available leave. For instance, an employee who takes 4 weeks of FMLA in December will have an additional 8 weeks of FMLA available, if needed, in January and February.

FMLA leave for the birth and/or placement of a child into an employee's family may only be taken within the twelve (12) months after the date of the birth or placement of the child. In the case of unpaid leave for the birth or placement of a child, intermittent leave or working a reduced number of hours is not permitted, unless both the employee and the College agree. If both spouses are employed by the College, the combined leave shall not exceed twelve (12) weeks.

For purposes of this policy, a serious health condition means an illness, injury, impairment or physical or mental condition that involves:

1. Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care; or
2. Continuing treatment by a health care provider, which includes any one or more of the following:
  - a period of incapacity due to a serious health condition of more than three consecutive calendar days plus either two or more treatments by a health care provider or one treatment by a health care provider followed by a regimen of continuing treatment;

a period of incapacity due to pregnancy or for prenatal care;  
a period of incapacity or treatment for such incapacity due to a chronic health condition such as asthma, diabetes or epilepsy;  
a period of incapacity due to a permanent or long-term condition for which treatment may not be effective such as Alzheimer's or a severe stroke; and  
a period of absence due to a serious health condition to receive multiple treatments or that would result in incapacitation without multiple treatments, such as cancer requiring chemotherapy or radiation treatments

As used above, the term "incapacity" means that the employee must be unable to work at all or unable to perform any of the essential functions of his or her job.

3. In the case of unpaid leave for serious health conditions, the leave may be taken intermittently or on a reduced hours basis only if such leave is medically necessary or to provide care or psychological comfort to an immediate family member with a serious health condition. In such cases, the College has the option, in its sole discretion, to require the employee to transfer to a temporary alternative job for which the employee is qualified and which better accommodates the intermittent leave or reduced hours leave than the employee's regular job. The temporary position will have pay and benefits equivalent to those of the employee's regular job.
4. In cases of leave due to a serious health condition of the employee (including pregnancy and childbirth) or an immediate family member, paid sick days and, if needed, paid vacation time must be used before taking unpaid leave. In cases of leave for the placement of a child through adoption or foster care, paid vacation must be used before taking unpaid leave. Both the paid and unpaid leave will be counted in calculating the total period of FMLA leave used. Once the College has knowledge that the leave being taken qualifies as a Family and Medical Leave absence, the employee will be notified orally or in writing within two business days, absent extenuating circumstances, that the vacation and/or sick leave will be counted towards the total of twelve (12) weeks of family leave. If notice to the employee is oral, it will be confirmed in writing no later than the following payday. If notice is not given to the employee by the date the leave starts, the College may not designate the leave as FMLA leave retroactively, unless the College does not have sufficient information as to the employee's reason for taking the leave until after the leave commences. Ordinarily, the College will only designate the leave as FMLA leave prospectively, as of the date of notification to the employee that the time is being charged against the employee's FMLA entitlement.
5. When the necessity of leave is foreseeable due to the expected birth or placement of a child, the employee must provide the College at least thirty (30) days notice of the employee's intention to take leave. If the date of birth or placement of a child requires the employee's leave to begin in less than thirty (30) days from the date of notice to the College, the employee must provide such notice as soon as practicable.
6. Where the necessity for leave is due to a family member's or an employee's own serious health condition and is foreseeable based on planned medical treatment, the employee must:
  - give at least thirty (30) days' notice, or as soon as practicable if treatment starts in less than thirty (30) days; and
  - make a reasonable effort to schedule the treatment so as not to unduly disrupt the operation of the College, subject to the approval of the healthcare provider.

7. Where the need for leave is unforeseeable, the employee must give notice as soon as practicable under the circumstances. Except in extraordinary circumstances, such notice must be given within one or two days of the commencement of the leave. At the time notice is given, the employee must provide the College with sufficient information to enable the College to determine whether or not the reason for the requested leave is a reason for which leave may be taken under this policy. Failure to do so will result the request for FMLA leave being denied and may result in disciplinary action, up to and including discharge, for violation of the College's attendance policy.
8. Any leave request based on a family member's or the employee's own serious health condition must be supported by certification from a healthcare provider on a form which the College will provide. The employee must provide a copy of the certification to the College in a timely manner after the College's request for medical certification. A maximum of fifteen calendar days will be allowed to provide the certification, unless circumstances make it impracticable to obtain the certification within this period of time, and the employee has made diligent, good faith efforts to obtain the certification. Certification from the healthcare provider must contain:
  - the date the serious health condition began;
  - the possible duration of the condition;
  - the appropriate medical facts regarding the condition;
  - if the leave is based on the care of a spouse, child or parent, a statement that the employee is needed to provide the care and an estimate of the amount of time that need will continue;
  - if the leave is based on the employee's own serious health condition, a statement that the employee is unable to perform the functions of his/her job; and
  - in the case of intermittent leave or leave on a reduced hours basis for planned medical treatment, the date the treatment is expected to be given and the duration of the treatment.
9. If the employee completely fails to provide the medical certification requested by the College, then the leave is not FMLA leave. If applicable, the employee may also be subject to discipline, up to and including discharge, for violating the College's attendance policy.
10. During FMLA leave, the College will continue to pay its portion of the health insurance premium, and the employee must continue to pay his/her share of the premium. Failure of the employee to pay his/her share of the premium may result in loss of coverage, after 15 days written notice to the employee. If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse the College for health insurance premiums paid during the leave, unless the employee does not return because of the presence of a serious health condition which prevents the employee from performing his/her job, the continuation of a serious health condition of the employee's family member or circumstances beyond the control of the employee.
11. During the unpaid portion of FMLA leave, the employee shall not accrue employment benefits, such as vacation leave, sick leave, retirement contributions, etc. Employment benefits accrued by the employee up to the day on which the family leave of absence begins will not be lost.
12. The College may require an employee on FMLA leave to report periodically on his/her status and the intention of the employee to return to work, and also periodic recertification of the medical condition. Failure to report as requested or to obtain requested certification will result in disciplinary action, up to and including discharge. An employee taking leave due to the employee's serious health condition, except for intermittent leave, is required to obtain a fitness-for-duty certification at the employee's expense with regard to the condition that causes the need for FMLA leave.
13. Employees who return to work from FMLA leave within or on the business day following the expiration of the twelve (12) weeks are entitled to return to their original job or an equivalent

position without loss of benefits or pay. (The FMLA does have a very limited exclusion to this, the details of which may be accessed on the web at [www.dol.gov](http://www.dol.gov) ) However, pay increases conditioned upon seniority, length of service or work performed would not be granted until the approximate length of service, seniority, etc. was attained after returning to work.

## **MILITARY FAMILY LEAVE ENTITLEMENTS**

**Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.**

**FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.**

### ***Procedure***

Applications for FMLA leave must be submitted in writing and signed by the employee's immediate supervisor. Applications should be submitted at least thirty (30) days before the leave is to commence or as soon as possible if thirty (30) days notice is not possible. Appropriate forms must be submitted to the Office of Human Resources to initiate a family leave and to return the employee to active status.

# **Public Employees Retirement System (PERS)**

All employees of the State of Mississippi, including our institution, are required to participate in the Public Employees Retirement System if they meet certain criteria.

All full-time employees are required to be members. Some, but not all, part-time employees are required to join PERS. Part-time employees will be informed if they will be a member once their work schedule is defined. Temporary employees are not eligible for retirement benefits. Employees who are already retirees of PERS are required to complete specific documentation furnished by the Human Resources office.

Employees who are required to be a member of PERS must make contributions to the system. These contributions come in the form of a designated percentage of wages deducted from each payroll check. The College also makes a contribution on behalf of each member employee. The contribution rates for both the employee and the institution are set by law.

Information concerning the Public Employees Retirement System can be obtained in the Human Resources office.

# **Public School Employees' Health and Life Insurance Plans**

The College participates in a group medical and life insurance plan that is administered by the State of Mississippi, Department of Finance and Administration (DFA), Office of Insurance. At the present time the State is paying the entire individual premium for the health insurance for the employees initially hired before 1/1/2006 (Legacy employees). Horizon employees (initially hired after 1/1/2006) base coverage (high deductible) is paid by the State. The State also pays one half the premium for life insurance for the employee meeting Department of Finance and Administration eligibility requirements. Questions relating to eligibility should be directed to the Human Resources office. An eligible employee may elect dependent coverage at his/her expense for health insurance.

Health and life insurance are not automatic. The full-time employee must complete proper application forms in the Human Resources office. Upon completion of the applications, coverage is effective on the first day of employment.

# Supplemental Dental, Hospital, Wellness and Life

The College provides an option for additional fringe benefits to employees who work at least twenty hours per week. At the present time this includes benefits for dental, hospital admission, wellness, dread disease and life. The premiums for the qualifying employees and dependents are paid by the employee.

## Tax Sheltered Annuities

Tax shelters are available to full-time staff, with all premiums and payments being paid by the employee. The Human Resources office can provide names of agents and their companies for whom we make payroll deductions.

## Cafeteria Plan

Southwest Mississippi Community College offers cafeteria plan savings to all employees who are enrolled in qualified plans and elect this option. A cafeteria plan allows an employee to pay certain insurance premiums with pre-tax dollars thus reflecting a savings to the employee in the amount of Federal, State and Social Security taxes withheld. An insurance representative will contact new employees regarding enrollment. Open enrollment will be held in April of each year with an effective date of July for any changes.

## Leaves of Absence

A leave of absence is an extended period of time absent from work without loss of employment. Even though there is no official policy regarding leaves, the College realizes that employee may need time off for various reasons. These could include jury duty, court witness, military duty, disability, etc.

Employees who need to be away from work should make a written request to his/her supervisor and the Payroll/Personnel office. The request should include the reason for and the length of the leave of absence which will be considered on an individual basis.

The laws of the State of Mississippi provide for military leaves for employees who are members of the Armed Forces Reserve or the National Guard. This leave does not count against the employee's earned annual/personal, and the employee will receive compensation for his/her regularly scheduled hours. However, if an employee's duty time exceeds that permitted by the Mississippi Code; he/she will not be paid unless he/she elects to use annual/personal leave time. The employee also may be required to pay the cost of any medical insurance that is normally paid by the institution.

# Workers' Compensation

All employees are covered by Workers' Compensation (WC). All injuries incurred on the job must be reported to the immediate supervisor and Human Resources Manager within 25 hours of the injury so that appropriate documentation of the injury can be made. Except in emergency situations notification should be made before seeking medical treatment off campus.

Payment for medical treatment and lost wages may be claimed. Employees, who qualify, may use Family Medical Leave which would run in conjunction with a WC claim, but cannot use sick or personal leave while on WC. Use of such benefit does not impact Workmen's Compensation paid for lost wages. No additional sick or annual/personal days accrue during a period of FMLA.

**THE PAYROLL/HUMAN RESOURCES OFFICE AND THE BUSINESS OFFICE WANT TO ASSIST YOU IN ANY WAY POSSIBLE. ALTHOUGH WE CAN PROVIDE INFORMATION REGARDING INSURANCE COVERAGE, TAX STATUS OR YOUR SERVICE RETIREMENT, OUR STAFF CAN NOT HELP YOU MAKE PERSONAL DECISIONS IN THESE AREAS.**

## Section 5 - Employee Conduct

# Introduction

The College has adopted standards of conduct entitled Workplace Expectations. These standards \_\_\_ describe the work-related behavior expected of all employees. College management staff may interpret these standards as necessary in order to administer them fairly, efficiently and in the best interest of the College. Violations of these standards of conduct may result in disciplinary action, up to and including immediate termination.

## Workplace Expectations

As a continuous learning environment built upon Southwest's Mission Statement and Common Goals, Southwest Mississippi Community College expects all employees to be active learners, workers, and servers, and seeks to be a place where the values of human compassion, dignity, and equity are expressed and lived.

**Therefore, workers are expected to:**

### **I. Exhibit Enthusiasm for Learning**

Striving to learn and to grow both intellectually and personally so everyone is a learner and everyone is a mentor.

#### **Sample Indicators:**

1. Learns new things in various ways, both formal and informal, that assist in professional and personal growth.
2. Demonstrates and applies newly learned skills and abilities.
3. Shares knowledge in useful ways with co-workers.
4. Contributes to a workplace environment that encourages continuous learning.

### **II. Act with Integrity and Caring**

Exhibiting honesty, trustworthiness, and compassion in one's work and relationships.

#### **Sample Indicators:**

1. Does what the person said he or she would do and demonstrates an ability to say no when it is appropriate to do so.
2. Actions match words.
3. Exhibits trust and can be trusted by others.
4. Shows concern for others.

### **III. Value all People**

Working to create an inclusive and respectful workplace that seeks to find the best in all people.

#### **Sample Indicators:**

1. Appreciates and works well with those different from oneself.
2. Strives to create a workplace and campus where everyone feels welcome.
3. Respects others' opinions and considers all viewpoints even when there are disagreements.
4. Expresses concern for getting work completed and balances that concern with the goals and feelings of others.

#### **IV. Work as a Team**

Developing collaborative and team oriented abilities that will create a community of mutual respect, common vision, and shared accomplishments.

##### **Sample Indicators:**

1. Encourages collaboration while assisting in the development of independent thinking.
2. Actively listens to understand the views of others.
3. Respects and considers the views of others.
4. Recognizes and builds on all team member's strengths.
5. Assists team members in achieving goals that support the mission of the College.

#### **V. Serve Others**

Nurturing a climate of excellence in service that is responsive to others' needs.

##### **Sample Indicators:**

1. Identifies who is served by one's work, anticipates their needs, and delivers services in a professional manner to meet and exceed those needs.
2. Seeks input from others, including those served, in order to improve the work and its processes.

#### **VI. Encourage Plain and Sustainable Living**

Promoting a sustainable way of life through policies, procedures and practices in the workplace.

##### **Sample Indicators:**

1. Demonstrates responsible stewardship of all resources.
2. Encourages processes that sustain the environment.
3. Considers both natural and technological alternatives.

#### **VII. Celebrate Work Well Done**

Striving for excellence in all aspects of work and celebrating individual and collective accomplishments.

##### **Sample Indicators:**

1. Looks for and implements better ways of working.
2. Takes pride in work well done.
3. Shares credit for accomplishments with the entire team.
4. Acknowledges and expresses appreciation to co-workers for work well done.

With the Workplace Expectations serving as the model for how employees should conduct themselves on campus, it is usually helpful to also describe types of behavior that are unacceptable in our workplace. These include, but are not limited to, the following behaviors/actions: falsifying employment or other College records; violating the College's nondiscrimination or anti-harassment policies; excessive absenteeism or tardiness or leaving work without authorization; reporting to work under the influence of alcohol or non-prescribed drugs or the manufacturing, possessing, distributing or transporting of illegal drugs; fighting or gambling on duty; using obscene, abusive or threatening language or gestures in the workplace; theft of property from the College, its clients or staff; possession of firearms on the College's premises or while on College business; insubordination; failure to complete work assignments satisfactorily; disclosure of confidential information about the College, its clients, its staff, students or donors; misuse of College funds; damaging or destroying College equipment or property; disregard of safety or security rules; excessive use of College telephones for personal use or excessive use of personal cell phones while on work time.

# Absenteeism and Tardiness

Every member of the campus community fills a role that has been determined to be essential to the College. The College expects all employees to be responsible in their attendance and promptness. Recognizing that illness and injuries do occur, the College has established sick leave, and family and medical leave policies to compensate employees for certain time lost for legitimate medical reasons. (Family Medical leave is addressed in depth in a separate section of this Handbook.)

All employees are expected to be prompt in reporting to work and returning from meal breaks or other absences from the workplace. An employee who anticipates being late in reporting or returning to work must call his or her supervisor.

Should you be unable to work because of illness, you must notify your supervisor no later than 9:00 a.m. on each day of your absence, unless you are granted an authorized medical leave, in which case different notification procedures apply. Failure to properly notify the College results in an unexcused absence. Any employee who is absent for three (3) consecutive working days without proper notification to the employee's immediate supervisor will be deemed to have voluntarily quit his or her employment.

If you are excused for an absence of more than three (3) consecutive work days, the College may require a fitness-for-work statement from a physician before you will be permitted to return to work. In such instances, the College reserves the right to require you to submit to an examination by such physician as the College may designate. In addition, the College may require you either to submit a statement from your physician or to be examined by the College designated physician, in instances including, but not limited to, where abuse of the sick leave policy is suspected.

# Telephone Procedures

When you call any place of business as one of its current or potential customers, you expect courtesy, and this affects your feelings about that business as a whole. Likewise, our students, visitors, friends and donors judge us by our courtesy in answering the telephone, taking messages and conversing on the telephone. Often the telephone is the only contact that other persons have with us, and courteous telephone calls will always greatly enhance the College's image and success.

**Therefore, when answering the telephone you should:**

- Answer all calls promptly and pleasantly; keep a smile in your voice.
- Always identify yourself when you answer.
- Take messages when appropriate.
- Make inquiries tactfully.
- Give your undivided attention to the caller.
- Avoid unnecessarily long conversations.
- Treat the telephone as one of your most valuable business tools.

While personal telephone calls are essential from time to time, they should be held to an absolute minimum in order to maintain the business interests of the College as the primary focus while we are at work. Personal long distance calls are not permitted and are in violation of College policy. Personal cell phones should set on silent mode while at work so as not to distract or disturb other staff or the business of the College. If you need to make a personal call during the day, it should be made on your break or at lunchtime.

# Confidentiality of Information

It is the policy of the College to ensure that the operations, activities, and business affairs of the College and our clients and donors are kept confidential to the greatest possible extent. If, during the course of their employment, employees acquire confidential or proprietary information about the College and its students, faculty, staff, alumni, donors and vendors, such information is to be handled in the strictest confidence and not to be discussed with outsiders. Employees are also responsible for the internal security of such information and should supply that information only on a "need to know" basis.

Employees are required to sign a statement of confidentiality at the time of hire and periodically throughout their terms of employment to acknowledge their awareness of, and reaffirm their commitment to, this policy. All employees must be mindful of the requirements under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) which is a Federal law that protects the privacy of student education records.

# Solicitation and Distribution of Literature

In the interest of maintaining a proper business and educational environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during working time. Employees who are not on working time (e.g., those on lunch hour or breaks) may not solicit employees who are on working time for any cause or distribute literature of any kind to them. Furthermore, employees may not distribute literature or printed material of any kind in working areas at any time.

Non-employees are prohibited from distributing material or soliciting employees on College premises at any time.

The College does support and endorse periodic fund-raising efforts for the Southwest Mississippi Community College Foundation, Inc., and the United Way. Any such fund-raising must be specifically approved by the President of the College or member of the Administrative Staff designated by the President.

# Health Safety and Security

The College is committed to providing a safe and healthful working environment. In this connection, the College makes every effort to comply with relevant federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies, and programs conducive to such an environment.

Campus Security staff members are available 24-hours per day to ensure the safety and security of the staff, students and visitors on our campus. The Emergency Phone Number is extension 601-551-3838 for all on campus emergencies. Additionally, the department is linked with the local 911 system in the event of a medical, police or fire safety emergency. Campus Security staff members should be contacted in the event of a work related accident or illness and will assist employees in completing a First Report of Injury and notify Human Resources for possible Worker Compensation claims. The Office of Campus Security is located in Allied Health Building (Old Cafeteria/Student Union).

Parking decals for personal vehicles may be purchased through Student Services and are required to park in the various lots throughout the campus community.

College vehicles are maintained through the Student Services and are available for approved travel and student activities on a reservation and availability basis.

The College's health policy is aimed at minimizing the exposure of our employees, customers, and other visitors to our facilities to health or safety risks. To accomplish this objective, all College employees are expected to work diligently to maintain safe and healthful working conditions and to adhere to proper operating practices and procedures designed to prevent injuries and illnesses.

## **The responsibilities of all employees of the College in this regard include:**

1. Exercising maximum care and good judgment at all times to prevent accidents and injuries;
2. Reporting to supervisors and seeking first aid for all injuries, regardless of how minor;
3. Reporting unsafe conditions, equipment, or practices to supervisory personnel;
4. Using safety equipment provided by the College at all times;
5. Observing conscientiously all safety rules and regulations at all times;
6. Notifying their supervisors, before the beginning of the workday, of any medication they are taking that may cause drowsiness or other side effects that could lead to injury to them and their co-workers.
7. In appropriate circumstances, attending College sponsored safety classes.

# Voluntary Termination of Employment

Employees desiring to terminate their employment relationship with the College are urged to notify \_\_\_ the College at least two weeks in advance of their intended termination for a non-exempt staff member and at least four weeks for an exempt staff member. Such notice should be given in writing to your supervisor and department head. Proper notice generally allows the College sufficient time to calculate all monies to which you may be entitled in your final paycheck and to tally accrued unused leave for certification to the Mississippi Public Employees Retirement System.

Employees who plan to retire are urged to provide the College with a minimum of three months' notice. This will allow ample time for the processing of appropriate pension forms to ensure that any retirement benefits to which an employee may be entitled commence in a timely manner.

# Workplace Violence

The safety and security of Southwest Mississippi Community College employees and its visitors is \_\_\_ of vital importance to the College. Therefore, acts or threats of physical violence including, but not limited to, intimidation, harassment or coercion, which may be directed towards another employee, visitor or student or affect the College or occur on College property, shall not be tolerated. Individuals shall not be allowed to carry a weapon, regardless of a permit, onto College property. Any employee who is found, after a proper investigation, to have been in violation of this policy shall be subject to disciplinary action, up to and including termination of employment.

# Solicitation of Funds

SMCC conducts an extensive and continuous program of fund-raising. To maintain the coherence \_\_\_ and effectiveness of these efforts, all fund-raising activities are centralized and coordinated in the Office of the Institutional Advancement. This is done to prevent an awkward situation in which two college representatives approach the same individual, foundation, or other donor and, in effect, begin to compete for a gift.

The development effort seeks to take full advantage of the ideas and contacts of faculty members. Suggestions are welcome and active participation in useful ways encouraged. Faculty and staff are strongly urged, however, not to approach potential donors or engage in other fund-raising activities without first conferring with appropriate persons in the Office of Institutional Advancement.