

# ADMINISTRATIVE & EXEMPT HANDBOOK



*The Smart Choice!*

Rev 5/2017

# LOWER COLUMBIA COLLEGE

## ADMINISTRATIVE AND EXEMPT HANDBOOK

Lower Columbia College's administrative and exempt staff consists of employees, other than classified staff or faculty, who are exempt from the Washington State Civil Service Law as provided in [RCW 41.06.070\(2\)](#). Exempt staff includes overtime eligible and overtime ineligible staff in accordance with [Fair Labor Standards Act](#) (FLSA). Unless otherwise specified, reference to exempt staff includes both overtime eligible and overtime ineligible from this point forward.

The Vice President of Foundation, Human Resources & Legal Affairs is charged with the responsibility of assuring that positions meet the criteria for exemptions. This is done through job auditing or identifying process consistent with state law. Overall responsibility for administrative and exempt employee positions lies with the President of Lower Columbia College and final approval for designating administrative and exempt positions rests with the President.

Written acceptance of the administrative or exempt appointment contract means that the employee agrees to conform to the rules, policies and regulations of Lower Columbia College, District 13, and the laws of the state of Washington. Employment and compensation can be terminated, with or without cause, at the option of either the College District or the employee. No one but the President (or Board) has the authority to make oral commitments regarding employment or to vary the terms of any written employment contract or employment policy.

Policies in this handbook may be amended at any time. Nothing in this handbook is intended to be part of the employment relationship. The items contained in this handbook do not create an employment contract or limit the College's right to terminate an employee at any time and for any reason not prohibited by law.

### I. CONTRACTS

The standard contract length for administrative and exempt employees is for a period of one year, ordinarily from July 1 to June 30, and renewable annually. Contracts for less than a year may be issued anytime during the year but shall terminate on or before June 30 of each year.

Administrative or exempt employees who have been employed three years or more at the College shall be given written notice of their non-reappointment by January 1 of the current contract year. Employees who have been employed less than three years shall be given written notice by May 1 of their current contract year.

Termination for cause occurs when an administrator or exempt employee is

dismissed prior to the written expiration of written terms of the appointment for any reason not prohibited by law, including but not limited to the guidelines of unacceptable conduct outlined in the Workplace Conduct & Expectations Section.

The President may terminate an administrative or exempt contract without cause and in its sole discretion by providing written notice to the employee, accompanied by three (3) months current salary payment as liquidated damages. Should the President exercise this clause, the College would have no further obligation to provide salary, benefits, or future employment.

## II. WORKPLACE CONDUCT & EXPECTATIONS

Lower Columbia College values an environment of integrity, respect, collaboration, cooperation, inclusion, and innovation that fosters personal growth, academic excellence, and accountability. LCC expects all staff to uphold the core values and takes unacceptable conduct very seriously. Any employee who wishes to report a violation of “Workplace Conduct & Expectations” may report to their supervisor or to Human Resources. To assist in guiding appropriate behaviors, the following are examples of unacceptable conduct which could lead to disciplinary action up to and including termination. This list is not exhaustive.

- Misconduct/Neglect of duty
- Discrimination or harassment (See LCC’s [Non-Discrimination & Anti-Harassment Policy](#))
- Sexual harassment and/or abuse of fellow co-workers, students or the general public
- Abuse of paid leave, including but not limited to failure to submit leave requests to immediate supervisor for sick, vacation or personal leave
- Failure to maintain satisfactory attendance and punctuality. Absence without proper notification to immediate supervisor, or insufficient reasons for absenteeism. [Approved [Family and Medical Leave Act](#) absences will not be grounds for disciplinary action.]
- Making malicious or false statements that are intended or could reasonably be expected to damage the integrity or reputation of LCC or our employees, on or off campus
- Fighting, encouraging a fight, bullying, acts or threats of physical violence, disorderly conduct, intimidation or coercion
- Use of abusive, offensive or obscene language, gesture or conduct, or lack of courtesy toward students, the public or fellow employees
- Intentional falsification or unauthorized destruction of records, paperwork, electronic resources required in the transaction of LCC business
- Insubordination, including failure to carry out assigned duties, follow reasonable instructions or requests from supervisors and/or administration or otherwise comply with written policy
- Dishonesty or theft, including deliberate destruction or damage to LCC property

- Unauthorized use or possession of LCC facilities/property
- Violation of LCC's [Acceptable Use of Information Systems and Services Policy](#)
- Failure to perform duties and operating equipment with care to protect the safety of employees, students, co-workers, and the public
- Dissemination of information to the public that is not of a public concern and has the potential to be disruptive to the educational process and interfere with LCC's ability to effectively manage the workplace
- Failure to report to work fit for duty and/or while under the influence of alcohol and/or drugs, as well as using, selling, or possessing controlled substances on College premises or while on College business. While working, employees shall only possess and take drugs that are medically authorized, approved, and determined by the employee and the employee's physician not to impair job performance or cause a safety hazard. Employees are responsible for notifying their supervisors that they are taking a prescribed controlled substance if it would affect their performance on the job
- Any violation of LCC's [Administrative Policies and Procedures](#)
- Any violation of State or Federal Laws and Regulations reasonably related to the job

### DISCIPLINE GUIDELINES

HR will investigate concerns and complaints, and will make a reasonable effort to protect the privacy of the employee. All employees involved in the investigatory process are expected to uphold confidentiality. Employees may elect to bring a representative to investigatory interviews. Retaliation against employees involved in an investigation will not be tolerated. Following investigation and/or analysis of the situation, nature and seriousness of the violation and circumstances, LCC may impose whatever disciplinary action is deemed appropriate. The following types of disciplinary action may be used depending on the particular situation: oral and written reprimands, reductions in pay, suspensions, demotions, and termination. LCC aims to provide employees with opportunities for success through the disciplinary process, however, any step or steps of the disciplinary process may be skipped at the discretion of LCC after investigation and analysis of the total situation, seriousness of the violation and circumstances involved. The use of any form of disciplinary action shall not affect or change an employee's "at-will" employment status. Immediate suspension or reassignment subject to discharge may be warranted pending an investigation or when necessary to preserve the welfare and integrity of the College community and functions. When termination for cause is being considered, the employee will be advised of the reason(s) for termination and given an opportunity to rebut these reasons.

### **III. COMPENSATION AND EVALUATION**

The base salary for administrative and exempt positions is established at the time

of hire and approved by the President. Experience, education, and market value are considerations in setting salaries. Annual salary decisions will be made based on the availability of funds, legislative authorization, employee performance and other institutional factors as determined by the President.

PERFORMANCE REVIEW: Performance Reviews for administrative and exempt employees are conducted biennially, using the Administrative/Exempt Evaluation form. More frequent, informal reviews may occur.

#### HOURS OF WORK:

##### **Administrative & Overtime Ineligible Exempt Employees**

Administrative and overtime ineligible exempt employees work during such periods as their duties require without overtime pay or compensatory time off. Generally, administrative and exempt employees are expected to be working during the College's normal hours of operation. With the appropriate Administrator's or President's approval, special arrangements may be made with the employee regarding hours of work and location of work. Because of the nature of administrative and exempt positions, the requirement to adhere to a routine work schedule (8 hours a day 40 hours per week) is not always practical. These positions are expected to accomplish and regulate work consistent with the demands of their position as directed by the appropriate Administrator or President.

##### **Overtime eligible exempt employees**

Overtime eligible exempt employees work during such periods as their duties require and will earn overtime pay or compensatory time off for hours worked over 40 in a workweek (Sunday through Saturday). Overtime eligible exempt employees are encouraged to work with their supervisor to flex their schedule as needed in an effort to avoid exceeding 40 hours in a workweek.

When overtime eligible exempt employees do exceed 40 hours in a workweek, they must submit a [Compensatory Timesheet](#) to Payroll. Only overtime hours worked are recorded on the timesheet. If it's paid comp time, you'll receive pay at the overtime rate of one and one-half times your regular rate of pay for any hours indicated on the comp timesheet. If it's unpaid, your hours worked over 40 will be available for use as paid time off. Compensatory time is always used prior to vacation. Unused comp time as of June 30 is paid out at the overtime rate on your first check in July.

COMPENSATED OUTSIDE SERVICE: Consulting and other types of compensated service performed outside of an administrative or exempt employee's official duties must be approved by the Vice President of Foundation, Human Resources & Legal Affairs or President. Approval is contingent upon the nature of the particular activity and consistency with [RCW 42.52](#), the Ethics in

Public Service Act.

ALLOWANCES FOR MEALS AND TRAVEL: Administrative and exempt employees shall receive reimbursement allowance for meals and travel under the guidelines established in the prevailing State Administrative and Accounting Manual and LCC travel policies.

HONORARIA: The receipt of "honoraria," as defined by [RCW 42.52.130](#) is prohibited unless specifically authorized by the Vice President of Foundation, Human Resources & Legal Affairs or President. Authorization by the Vice President of Foundation, Human Resources & Legal Affairs or President will be in keeping with the provisions of [RCW 42.52](#) the Ethics in Public Service Act.

PAY PERIODS: The salary for administrative and exempt employees is paid in 24 equal semi-monthly payments in each year. Lower Columbia College operates on a lagged payroll system with pay checks distributed twice a month.

Payday for services rendered from the 1st through the 15th shall be on or near the 25th; for services rendered from the 16th through the last calendar day of the month shall be on or near the 10th of the following month, as allowed by state law.

#### **IV. BENEFITS AND RETIREMENT**

All eligible administrative or exempt employees must participate in either the State Board Retirement Plan (SBRP) or the Public Employees Retirement System (PERS) Plan 3. Those employees newly appointed to an administrative or exempt position who are members of a Washington State sponsored retirement plan (PERS 1, 2, or 3; TRS 1, 2, or 3) may irrevocably elect to retain such membership or irrevocably elect to participate in the SBRP immediately. The rules for governing SBRP participation are subject to change by the [Washington State Board for Community and Technical Colleges](#).

Human Resources shall assist employees in determining retirement eligibility, medical and dental insurance, life insurance, long term disability insurance and supplemental retirement options.

The employee and the College contribute equally to OASI (Social Security) taxes in accordance with the prevailing federal schedule. Federal income taxes are automatically withheld from the employee's payroll checks in accordance with Internal Revenue laws and regulations. Employees eligible for exemption from taxes should contact the payroll office for assistance.

EDUCATIONAL FEE WAIVERS: Administrative and exempt employees on permanent appointment are eligible for educational fee waivers under certain limitations as prescribed by Washington State Law. Contact Human Resources

for more information.

**USE OF COLLEGE FACILITIES AND SERVICES:** College facilities and services may not be used for purposes which are unlawful under [RCW 42.52](#), the Ethics in Public Service Act.

**INSURANCE:** The employer shall contribute up to the maximum amount per month authorized by law for allowable group insurance plans. The employee shall have the opportunity, within the guidelines of the law, to self-pay such contributions during leaves without pay. All premiums in excess of the authorized maximum shall be borne by the employee.

## **V. ANNUAL, ILLNESS, INJURY, BEREAVEMENT, AND EMERGENCY LEAVE**

Administrative and exempt employees are eligible for paid and unpaid leaves including bereavement, civil duty, disability, emergency, maternity/paternity, medical, military, professional, shared, sick, and vacation.

Classified employees who accept administrative and exempt positions will carry forward all accumulated sick and annual leave to the administrative and exempt position, but any accrued compensatory time will be paid by the institution at time of departure from the classified position or the employee shall exhaust the compensatory leave prior to entering the administrative or exempt position whenever possible. Personal leave days do not carry over to the exempt role so the employee is encouraged to use any personal leave days prior to the start in the exempt position.

**LEAVE PAYOFF:** State employees may not be paid for accrued sick leave when they transfer to other state employment. Accumulated sick leave may be transferred from the College only to another college district, technical college, the State Board, OSPI, any ESD, any school district, or any other institution of higher learning in the state ([RCW 28B.50.551\(5\)](#)). Additionally, if an employee is transferring to a position where the individual is not eligible for annual leave or annual leave does not accrue (e.g., to a faculty position at another college), then the College is authorized to cash out the accrued leave balance (terminal leave pay). If the new position is eligible for annual leave, those accruals may be transferred instead of cashing out the balance. Personal holidays cannot be cashed out. However, they may be transferred if the new position is eligible for personal holidays. The employee may request a copy of their final leave report and a statement of accrued leave to the new institution/agency. If the employee is leaving state service, their accumulated annual leave will usually be paid in the final paycheck. According to [RCW 28B.50.551 \(4\)](#), resigned or any employee who ceases to be employed by the college district (e.g., dismissals, RIFs) are not paid for accrued sick leave nor unused personal holidays.

ANNUAL LEAVE ACCRUALS:

Full-time administrative and exempt employees shall accrue vacation leave at the following rates:

	Monthly	Annual
0 - 5th years	16 hours	24 days
Starting 6th year	18.667 hours	28 days

Employees working less than a full-time schedule shall accrue vacation leave on a pro-rata basis. When employees have worked in other classifications at Lower Columbia College and have prior exempt service (e.g., worked in exempt position, then moved to full-time faculty, and back to an exempt position), their previous years of exempt service will count for purposes of determining their vacation leave accrual rate.

Administrative and exempt employees should make every effort to insure they do not carry a leave balance above thirty days (240 hours). When it becomes necessary to carry a leave balance above thirty days beyond September 30 of each calendar year, the employee is responsible to request deferral of excess annual leave for reason of the College's convenience and a statement of necessity. The President or the Vice President of Foundation, Human Resources & Legal Affairs may approve or disapprove such requests Human Resources. Approved excess annual leave must be used on or prior to December 31<sup>st</sup>, of each year. The Payroll office shall delete all excess annual leave at the close of business on December 31<sup>st</sup> each calendar year.

All requests for vacation leave must be approved by the supervisor in advance of the effective date unless there are exigent circumstances.

HOLIDAYS: The College officially designates ten days per year (New Year's Day, Martin Luther King Jr.'s Birthday, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Native American Heritage Day, and Christmas Day) as paid holidays for administrative and exempt employees.

PERSONAL HOLIDAYS: Full-time administrative and exempt employees are entitled to five personal holidays of their choosing per calendar year if they have been continuously employed by the institution in an administrative or exempt position for more than five consecutive months. A personal holiday is equal to a day and cannot be used in hour increments. Personal days are not subject to cash out and must be used during each calendar year of employment.

SICK LEAVE: Full-time administrative and exempt employees shall accrue sick leave at the rate of one day (8 hours) per month. Employees working less than a full-time schedule shall accrue sick leave on a prorated basis.



Sick leave shall be allowed for illness, disability, injury, medical, dental, or optical appointments, as well as serious illness in the immediate family that requires the employee to provide the necessary care of the patient or to make arrangements for extended care as outlined in [WAC 296-130](#).

Upon retirement or death, sick leave may be transferred into VEBA at a rate of 25% of the entire sick leave balance to use for qualifying expenses, unless amended by state law.

Former state employees who are reemployed within five years of leaving state service will be granted all unused and unpaid sick leave credits they had upon separation.

ATTENDANCE INCENTIVE PROGRAM: Administrative and exempt employees are eligible for annual payoff of sick leave in accordance with the Attendance Incentive Program, [RCW 26B.50.553](#). Eligible employees will be advised by Human Resources or Payroll of this opportunity.

EMERGENCY LEAVE: When it becomes necessary for an administrative or exempt employee to be absent from work due to an emergency situation, the affected employee should notify their supervisor of the need for such leave and estimated duration of the leave. Emergency leave may be granted as personal holiday, annual leave, sick leave, leave without pay, or any combination of these leaves. Employees returning to work from Emergency Leave should contact Human Resources so that their absence is properly accounted.

BEREAVEMENT LEAVE: Administrative and exempt employees may be granted up to five days of paid bereavement leave for the death of any immediate family member or household member.

CIVIL DUTY LEAVE: Administrative and exempt employees shall be granted leave of absence with pay for jury duty and subpoena leave. Leave shall be authorized upon notification of the supervisor.

LIFE-GIVING LEAVE: When approved, Administrative and exempt employees will be granted paid leave, not to exceed five days in a two year period, as needed for the purpose of participating in life-giving procedures. A life-giving procedure is defined as a medically-supervised procedure involving the testing, sampling, or donation of blood, platelets, organs, fluids, tissues, and other human body components for purposes of donation (without compensation).

MILITARY LEAVE: Any exempt employee shall be entitled to leave with pay, not to exceed 21 calendar days during each year beginning October 1st and ending the following September 30th. Such leave shall be granted in order that the person may report for active duty, when called, or take part in active training duty in such manner and at such time as he or she may be ordered to active duty or active training duty as provided in [RCW 38.40.060](#).

An exempt employee shall be granted leave to serve in the armed forces if drafted or called into active service from a reserve status. The employee's position or a position equal in rank will be available provided the employee has returned to the College immediately after obligatory service is terminated and circumstances have not changed as to make it impossible, unreasonable, or against public interest as outlined in [RCW 73.16](#).

LEAVE WITHOUT PAY: If approved by the immediate supervisor, exempt employee may use leave without pay.

Requests for extended periods of leave without pay must be made in writing to the appropriate Vice President or President. Reasons for the leave and the beginning and ending dates must be included in the request. If an extension is necessary, a second request will be submitted prior to the ending date of the initial request. Administrative and exempt employees are to insure timely written and oral communication take place regarding the status of their leave with the appropriate Vice President or President so the business of the institution may be properly attended to during the employee's absence

SUSPENDED OPERATIONS: The President or designee is authorized to suspend the operation of all or any portion of the campus when it has been determined that the public health, property or safety is jeopardized. Information regarding suspended operations may be found on the LCC Webpage: <http://lowercolumbia.edu/publications/emergency/college-closure-procedure.php>

Employees will receive no loss in pay for the first day of suspended operations. Employees may use annual leave, personal holiday, sick leave, or leave without pay for the remainder of the suspended operation. Employees on preapproved leave will not have their leave reversed upon notice of suspended operations.

## **VI. OBLIGATIONS**

ETHICS IN PUBLIC SERVICE: All administrative and exempt employees of Lower Columbia College shall follow the Washington State Ethics laws ([RCW 42.52](#)). For more information regarding ethics at LCC, please visit the Human Resources webpage: <http://internal.lowercolumbia.edu/departments/human-resources/index.php>

## **VII. RESIGNATION, RETIREMENT AND SEPARATION**

RESIGNATIONS: Resignations should be submitted as early as possible and must be in writing as soon as practical after the decision has been made to resign. The written resignation shall include the final date of employment. The

President or designee has the authority to accept or reject the resignation after considering the welfare of the College and the practicality of the situation. Once the President or designee accepts a resignation in writing, the resignation cannot be withdrawn without the President's approval.

RETIREMENT: Retirements should be planned and announced as far in advance as possible. Assistance in planning or initiating retirement is available in Human Resources.

SEPARATION: Separations of administrative and exempt employees may occur because of convenience, non-reappointment, cause, financial exigency, disability, reorganization or financial considerations or needs.

As a general rule, use of paid leave at the end of an employee's separation from employment will only be approved for the amount of business days remaining in the month of the employee's last working day. Exceptions may be approved by the President or the Director of HR & Legal Affairs based upon the business needs of the college.

## **VIII. RECORDS MAINTENANCE**

Human Resources is responsible for the maintenance of administrative and exempt personnel files. Anonymous communications about the employee are not kept in personnel files. All documentation regarding the employee's application, certification, notification of hire, performance, disciplinary matters, and contract(s) shall be maintained in the personnel files along with other information as prescribed by prevailing federal and state law. All personnel files are to be maintained in a secure and confidential manner.

The employee may examine their personnel file by contacting Human Resources.

Upon the employee's separation, the personnel file will become part of the College's permanent records.

Human Resources will maintain position description files for all administrative and exempt positions. An up-to-date description must be sent to Human Resources if changes are made to the position duties. Employing officials or the employee holding a particular position may examine these files at any time by arrangement with Human Resources.

## **IX. REVERSION RIGHTS TO CLASSIFIED SERVICE**

A classified employee taking an appointment to an exempt position shall be granted a leave of absence without pay, with the right to return to their regular position at the conclusion of the exempt appointment; provided that the employee

makes an application to return to classified service not more than thirty calendar days following the conclusion of the exempt appointment. Administrative or exempt employees who are terminated for gross misconduct or malfeasance are not eligible for reversion to classified service ([RCW 41.06.070](#)).